

use of the RPA for mosquito adulticiding and larvaciding in the vector markets using industry EPA approved products.

[FR Doc. 2016-28534 Filed 11-25-16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2016-119]

#### Petition for Exemption; Summary of Petition Received: Aero Medical Products Mfg., Inc.

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of Title 14, Code of Federal Regulations (14 CFR). The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of the FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before December 19, 2016.

**ADDRESSES:** You may send comments identified by docket number FAA-2013-0582 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments digitally.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our

dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mark Forseth, ANM-113, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057-3356, email [mark.forseth@faa.gov](mailto:mark.forseth@faa.gov), phone (425) 227-2796.

This notice is published pursuant to 14 CFR 11.85.

Issued in Renton, Washington, on November 18, 2016.

**Dale Bouffion,**

*Acting Director, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2013-0582.

*Petitioner:* Aero Medical Products Mfg., Inc.

*Section of 14 CFR Affected:* §§ 25.562 and 25.785(b).

*Description of Relief Sought:*

Petitioner request to amend exemption no. 10862 to allow ambulatory persons to occupy medical stretchers during all stages of flight.

[FR Doc. 2016-28532 Filed 11-25-16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[FHWA Docket No. FHWA-2016-0027]

#### Revision of Form FHWA-1273

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; request for comments.

**SUMMARY:** The FHWA is requesting comments on a proposed revision of form FHWA-1273—"Required Contract Provisions Federal-Aid Construction Contracts." This form includes certain contract provisions that are required on all Federal-aid construction projects. The revisions are necessary to provide consistency with the current policies of FHWA and other Federal agencies.

**DATES:** Comments must be received on or before December 28, 2016.

**ADDRESSES:** All comments should include the docket number that appears in the heading of this document and may be submitted in the following ways:

- *E-Gov Web site:* <http://www.regulations.gov>. This Web site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail:* DOT Docket Management System; U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

- *Hand Delivery:* DOT Docket Management System; West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* You should identify the docket number at the beginning of your comments. If you submit your comments by mail, submit two copies. To receive confirmation that DOT received your comments, include a self-addressed stamped postcard. Late comments will be considered to the extent practicable.

**Note:** Comments are posted without changes or edits to <http://www.regulations.gov>, including any personal information provided. All comments received will be available for examination and copying at the above address from 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard or may print the acknowledgment page that appears after submitting comments electronically. Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). Persons making comments may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, Pages 19477-78).

#### FOR FURTHER INFORMATION CONTACT:

Gerald Yakowenko, Office of Program Administration, (202) 366-1562, [Gerald.Yakowenko@dot.gov](mailto:Gerald.Yakowenko@dot.gov) or William Winne, Office of the Chief Counsel, (202) 366-1397, [William.Winne@dot.gov](mailto:William.Winne@dot.gov). Office hours for 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 Publishing Office's database at: <http://www.access.gpo.gov/nara>.

### Background

As provided in 23 CFR 633.103, Form FHWA-1273 includes contract provisions and proposal notices that are required by regulations promulgated by FHWA or other Federal agencies. The provisions include non-discrimination, prevailing wage rates, subcontracting, job-site safety, and other important requirements that must be included in every Federal-aid construction project. According to 23 CFR 633.104(a), FHWA will update the form as regulatory revisions occur. Since the form was last revised on May 1, 2012, a number of policy revisions have occurred. The revisions that are being proposed by FHWA to Form FHWA-1273 will bring the form up to date with the current requirements. The proposed revisions are being made for the following reasons:

- The U.S. Department of Labor, Office of Federal Contract Compliance (OFCCP) issued a final rule on December 9, 2014, which revised the Equal Employment Opportunity requirements for Federal and federally assisted projects. We propose to implement minor revisions in Sections II and III—*Nondiscrimination* and *Non-segregated Facilities* to replace the terms “sex” with “sex, sexual orientation, and gender identity” to be consistent with the 41 CFR 60-1.

- Revisions are proposed to Section II.10 as follows: This section is retitled as “Assurance Required,” the assurance required by 49 CFR 26.13(b) is included verbatim, and incorporation by reference is provided for the Title VI assurance required by U.S. DOT Order 1050.2A Appendices A and E.

- A revision is proposed to the first paragraph of Section IV to address the “treatment of projects” provision in 23 U.S.C. 133(i), which requires that all projects (excluding those funded under the recreational trail set-aside) be treated as if on a Federal-aid highway.

- Revisions are proposed to Section IX—*Implementation of Clean Air Act and Federal Water Pollution Control Act* to be consistent with the provisions in Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards in 2 CFR 200.

- Revisions are proposed to Section X—*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion* to implement new certification language to ensure that awards are not made to companies who

have a verified Federal tax delinquency or companies who have been convicted of a Federal felony offense within 2 years prior to the award. The new certifications implement the Government-wide General Provisions, currently under Division E, Title VII, Financial Services and General Government Appropriations Act, FY 2016 (Sections 745-746 in the FY 2016 Act, 129 STAT. 2485-2486 and similar provisions in subsequent appropriations acts). In addition, the Excluded Parties List System ([www.EPLS.gov](http://www.EPLS.gov)) has been replaced with the System for Award Management ([www.SAM.gov](http://www.SAM.gov)). The reference to this system in the form is updated.

- We propose to add a new Section XII—*Use of United States-Flag Vessels* to implement Cargo Preference Act requirements on Federal-aid projects. On October 14, 2008, President Obama signed the “Duncan Hunter National Defense Authorization Act of 2009.” Section 3511 of that Act amended the Cargo Preference Act by stating the requirements apply to cargoes financed “in any way with Federal funds for the account of any persons unless otherwise exempted.” This Act requires the use of a United States-Flag vessel for all oceanic shipments (or shipments across the Great Lakes) necessary for materials or equipment acquired for a specific, Federal aid highway project. See FHWA's December 8, 2015, legal opinion titled: “Cargo Preference Act and Federal-aid Projects” (available online at <https://www.fhwa.dot.gov/construction/cqit/cargo/151208.cfm>) for additional information.

- Minor grammatical and formatting revisions are proposed throughout the document for clarity and to be consistent with 2 CFR part 200.

The proposed revision to Form FHWA-1273 will incorporate the changes noted above as well as other important changes to the required contract provisions. A list of the proposed changes and a marked-up version of the changes are available at the following Web site: <https://www.fhwa.dot.gov/construction/cqit/form1273.cfm>.

The FHWA anticipates issuing a second notice responding to the comments received and requiring the use of the revised form for all Federal-aid projects advertised 60 days after the publication date of the second notice.

**Authority:** 23 U.S.C. 112; 23 CFR 633; 49 CFR 1.85.

Issued on: November 17, 2016.

**Gregory G. Nadeau,**  
Administrator, Federal Highway  
Administration.

[FR Doc. 2016-28586 Filed 11-25-16; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Safety Advisory 2016-02]

#### Identification and Mitigation of Hazards Through Job Safety Briefings and Hazard Recognition Strategies

**AGENCY:** Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

**ACTION:** Notice of Safety Advisory.

**SUMMARY:** FRA is issuing Safety Advisory 2016-02 out of concern for the number of railroad and railroad contractor fatalities that occur when roadway workers perform certain activities that fall outside the scope of FRA's safety regulations, but within the purview of the U.S. Occupational Safety and Health Administration's (OSHA) regulations. FRA is issuing this Safety Advisory to remind railroads and railroad contractors, and their employees (including roadway workers) of the importance of identifying hazardous conditions at job locations, conducting thorough job safety briefings to discuss the hazardous conditions, and taking appropriate actions to mitigate those conditions. This Safety Advisory reminds railroads, railroad contractors, and their respective employees that OSHA's job safety regulations may apply to certain roadway worker activities and makes recommendations for hazard recognition strategies and challenge procedures that could improve roadway worker safety while roadway workers are engaged in activities subject to OSHA's regulations. FRA considers this Safety Advisory responsive to the National Transportation Safety Board's (NTSB) Recommendations R-14-33, R-14-35, and R-14-36.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph E. Riley, Track Specialist, Track Division, Office of Technical Oversight, FRA, 1200 New Jersey Avenue SE., Mail Stop 25, Washington, DC 20590, (202) 493-6357.

**SUPPLEMENTARY INFORMATION:** On April 3, 2016, two National Railroad Passenger Corporation (Amtrak) employees were killed in Chester, Pennsylvania, when an Amtrak train struck a backhoe on that track. Although the NTSB has not concluded its