

Issued in Hawthorne, California, on August 27, 1997.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 97-24852 Filed 9-18-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Cape Girardeau County, MO

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for proposed improvements to the transportation system in Cape Girardeau County, Missouri.

FOR FURTHER INFORMATION CONTACT:

Donald Neumann, Programs Engineer, FHWA Division Office, P.O. Box 1787, Jefferson City, MO 65102, Telephone: (573) 636-7104 or Scott Meyer, District Engineer, Missouri Department of Transportation, P.O. Box 160, Sikeston, MO 63801, Telephone: (573) 472-5333.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT), will prepare an environmental impact statement (EIS) for a proposed project to improve the transportation system in the vicinity of Missouri Routes 34 and 72 in Cape Girardeau County, Missouri.

Improvements to the corridor are considered necessary to provide for a safe and efficient transportation network. Alternatives under consideration include (1) taking no action; (2) using alternate travel modes; (3) upgrading and improving the existing roadways; and (4) constructing a four-lane roadway on new or partially-new location. Design variations of grade and alignment will be incorporated into and studied with the various build alternatives. The proposed action will likely include transportation improvements from the intersection of Missouri Routes 34 and 72, west of Jackson, Missouri, to the Missouri Route K interchange with Interstate 55 in Cape Girardeau, Missouri.

The scoping process will involve all appropriate federal, state, and local agencies, and private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public meetings will be held to engage the regional

community in the decision making process, and to obtain public comment. Public meetings are tentatively scheduled for fall, 1997 and for spring, 1998. In addition, a public hearing will be held to present the findings of the draft EIS (DEIS). Public notice will be given of the time and place of the meetings and hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA or MoDOT at the addresses provided above.

(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)

Issued on: September 9, 1997.

Donald Neumann,

Programs Engineer, Jefferson City.

[FR Doc. 97-24891 Filed 9-18-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received requests for waivers of compliance with certain requirements of its safety standards. The individual petitions are described below, including the parties seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioners' arguments in favor of relief.

The Bay Line Railroad, L.L.C.

(Waiver Petition Docket Number PB-97-2)

The Bay Line Railroad, L.L.C., seeks a permanent waiver of compliance from certain provisions of the Railroad Power Brakes and Drawbars regulations, 49 CFR part 232, Section 23, concerning the requirements of two-way end-of-train (EOT) devices. Specifically, the Bay Line Railroad seeks relief from requiring two-way EOT devices on any of its road trains.

The Bay Line Railroad operates only one road train daily, Sunday through Thursday. There are no trains on Friday

or Saturday. The road train makes the scheduled round trip of 162 miles from Panama City, Florida, to Dothan, Alabama, using one train crew within an eight hour tour of duty. The maximum allowable speed for the train is 40 mph. The Bay Line Railroad reports that the average tonnage of the southbound train is 9,000 tons, and the northbound train averages 4,400 tons. The ruling grade on the railroad's main line is 0.833 percent, with the average grade over the entire line of 0.28 percent. The Bay Line Railroad has three one-way EOT's and would continue to use them on all road trains. The Bay Line Railroad states that it has not had a train accident in twenty years and has not had a loss time injury in the Operating Department in over seven years. The Bay Line Railroad also declares that there has not been a runaway train or crimped train line incident in the history of the railroad, and reasons that the type of accident which would require a two-way EOT device to apply the brakes from the rear of the train has never occurred and probably would never occur on the Bay Line Railroad. The Bay Line Railroad believes that reducing its track speed to 30 mph would reduce service to its customers and connecting railroads with no increase in safety.

CSX Transportation, Incorporated

(Waiver Petition Docket Number PB-97-10)

By letter dated August 29, 1997, CSX Transportation, Incorporated (CSX) seeks a temporary waiver of compliance from certain provisions of the Railroad Power Brake and Drawbars regulations, 49 CFR 232.25(d), concerning the calibration of the front unit of a two-way EOT device. Specifically, CSX wants relief from the calibration and labeling requirements for all front units until December 31, 1997.

Section 232.25(d) states: The telemetry equipment shall be calibrated for accuracy according to the manufacturer's specifications at least every 365 days. The date of the last calibration, the location where the calibration was made, and the name of the person doing the calibration shall be legibly displayed on a weather-resistant sticker or other marking device affixed to the outside of both the front unit and rear unit. The Two-Way EOT Device Final Rule was published on January 2, 1997, and became effective July 1, 1997. FRA provided a grace period until September 1, 1997, for railroads to accomplish the calibration and labeling requirements of front units.

CSX references a letter dated August 14, 1997, from the Association of American Railroads (AAR) to FRA

which states the industry's position that the front unit does not need calibration since the manufacturers do not believe front units require calibration. CSX requests a temporary waiver from the calibration and labeling requirement only if FRA does not accept the AAR's position. FRA has not accepted AAR's position.

CSX indicates that they did not receive specifications by which the calibration procedure could be performed on the front units until August 11, 1997. Therefore, CSX is not in a position to completely perform such functions by September 1, 1997. CSX also claims that they have placed an order for the weather-resistant labels, but will not receive them in time to comply with the requirement. CSX acknowledges that Pulse Electronics is currently developing an on-board head telemetry device (HTD) testing device to perform the required procedures.

CSX feels there is absolutely no reason to believe that any adverse effect on safety would result from granting this temporary waiver and that the waiver is necessary in order to permit implementation of a rational and efficient system for testing and labeling HTD's.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number PB-97-2) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, SW., Mail Stop 10, Washington, DC 20590. Communications received within 30 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, NW., Room 7051, Washington, DC 20005.

Issued in Washington, DC on September 10, 1997.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 97-24895 Filed 9-18-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. App. 26, the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

Block Signal Application (BS-AP)-No. 3435

Applicant: Union Pacific Railroad Company, Mr. P. M. Abaray, Chief Engineer-Signals/Quality, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179-0001.

The Union Pacific Railroad Company seeks approval of the proposed temporary suspension of the signal system, for approximately 90 days, during the track construction project between milepost 114.6 and milepost 115.0 on the Alexandria Subdivision, and between milepost 620.9 and milepost 621.0 on the Beaumont Subdivision, near Livonia, Louisiana, utilizing switch tenders to control switches while the signal system is suspended. The proposal consists of the removal of all power-operated switches and signals at the existing control points and interlocking, removal of the interlocking crossing frog, completion of major track construction, installation of two new control points, and restoration of the signal system to service.

The reason given for the proposed changes is to perform major track construction.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the protestant in the proceeding. The original and two copies of the protest shall be filed with the Associate Administrator for Safety, FRA, 400 Seventh Street, S.W., Mail Stop 25, Washington, D.C. 20590 within

45 calendar days of the date of publication of this notice. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, D.C. on September 10, 1997.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 97-24896 Filed 9-18-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Notice of Applications for Modification of Exemption

AGENCY: Office of Hazardous Materials Safety, Research and Special Programs Administration, DOT.

ACTION: List of application for modification of exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Requests for modifications of exemptions (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "M" denote a modification request. These applications have been separated from the new applications for exemptions for facilitate processing.

DATES: Comments must be received on or before October 6, 1997.

ADDRESS COMMENTS TO: Dockets Unit, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.