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Background

The FHWA, in cooperation with the Montana Department of Transportation (MDT) will prepare an environmental impact statement (EIS) on the proposal to reconstruct, widen, and realign US 89 from Fairfield to Dupuyer.

Comments are being solicited from appropriate Federal, State, and local agencies and from private organizations and citizens who have previously expressed or are known to have interest in this proposal. Public scoping meetings at two different locations will be held in November 1999. Additional information meetings will be scheduled during the course of the study. In addition, a formal public hearing will be held after the draft EIS has been prepared. Public notice will be given of the time and place of the public scoping meetings, information meetings, and the formal public hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

Comments and/or suggestions from all interested parties are requested to ensure that the full range of all issues, and significant environmental issues in particular, are identified and reviewed. Comments or questions concerning this proposed action and/or its EIS should be directed to the FHWA or the MDT at the addresses listed previously.

(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 proposed action.)

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

Issued on: October 21, 1999.

Dale Paulson,

Program Development Engineer.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver 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 a request for a waiver of compliance with certain requirements of its safety

standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

State of Connecticut

Department of Transportation

National Railroad Passenger Corporation

(*Waiver Petition Docket Number FRA-1999-6167*)

The Connecticut Department of Transportation and the National Railroad Passenger Corporation jointly seeks a temporary waiver of compliance with Passenger Equipment Safety Standards, Title 49 CFR Part 238.235, which requires that by December 31, 1999, each power operated door that is partitioned from the passenger compartment shall be equipped with a manual override adjacent to that door. The petitioners request that the temporary waiver extend the December 31, 1999 compliance date to July 1, 2001. The petitioners state that they need this added time to meet this requirement. They seek this waiver for ten Bombardier Project 34, push-pull coaches.

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 FRA-1999-6167) and must be submitted to the DOT Docket Management Facility, Room PL-401 (Plaza Level) 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received within 30 days of the date of this notice will be considered by FRA before final action is taken. Comments 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. to 5:00 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site at <http://dms.dot.gov>.

Issued in Washington, D.C. on October 25, 1999.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver 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 a request for a waiver of compliance from certain requirements of its safety regulations. The individual petition is described below including, the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

CSX Transportation

[Docket Number FRA-1999-6252]

CSX Transportation (CSXT) seeks a waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, 49 CFR Part 229. Specifically, CSXT requests relief from the requirements of 49 CFR 229.27(a)(2) Annual Tests and 49 CFR 229.29(a) Biennial Tests, as solely applicable to all present and future installations of the New York Air Brake Corporation (NYAB) Computer Controlled Brake (CCB) Systems on CSXT locomotives. Part 229.27(a)(2) requires that, "Brake cylinder relay valve portions, main reservoir safety valves, brake pipe vent valve portions, feed and reducing valve portions in the air brake system (including related dirt collectors and filters) shall be cleaned, repaired, and tested" at intervals that do not exceed 368 calendar days. Part 229.29(a) requires in part that "* * * all valves, valve portions, MU locomotive brake cylinders and electric-pneumatic master controllers in the air brake system (including related dirt collectors and filters) shall be cleaned, repaired, and tested at intervals that do not exceed 736 calendar days." CSXT requests these provisions be temporarily waived to accommodate the implementation of a Test Plan to prove the new technology incorporated in this brake system is more reliable and safer in the Rail Transportation Industry, with the intent of moving to a component repair as required, performance-based COT&S criterion.

The time interval for the requirements of Part 229.29(a) was extended to 1,104 calendar days in 1985 for 26L Brake equipment, based on proven service reliability with the evolution of improved components. The time interval for CCB equipment was extended to 1,840 calendar days in 1996, per FRA Test Waiver, H-95-3.

CSXT states that the CCB equipment used on their locomotives provides reliable operation based upon the availability of diagnostics, which continuously monitors the function of all critical components. When the CCB diagnostics detects operational characteristics outside allowed limits, the system automatically takes appropriate action to assure safety. Because failures are detected and fault action is automatically initiated, CSXT believes that COT&S intervals can be increased without any impact on safety.

CSXT bases their Test Plan on the following: (1) The reduction of mechanical devices through the use of micro-processor logic; (2) the replacement of "O" ring technology with "poppet" technology; (3) the immediate detection of faults or improper operation through the vigilance of a microcomputer; (4) the control of faults to a known safe condition; (5) emergency brake initiation and brake cylinder pressure development is accomplished mechanically as well as electronically under any condition; and (6) the performance of CCB equipment during current FRA Waiver H-95-3.

The Test Plan is designed to determine the feasibility of a "performance-based" COT&S. The initial duration of the test shall be six years from the in-service date of the locomotives listed in the control group. At the end of the six years, an evaluation and review will be made to assess whether an extension of an additional year for the test will be granted. Data collection for this test shall be accomplished within the present structure of the CSXT Mechanical Operations group, with assistance of NYAB Field Service Engineering. The test plan has specific requirements to tag and record detailed information on all faulty brake components removed from locomotives equipped with the CCB system and covered by this waiver. Data analysis for confirmation of failures will be determined by CSXT, NYAB Field Service Engineering and/or NYAB Service Department. A "criticality rating" will be assigned to each component failure and all information will be compiled for an evaluation of performance.

The periodic (92-day) test, per § 229.23, will be performed on all locomotives in the test group and replacement of all filtering devices and dirt collectors will be done annually. CSXT, NYAB, and FRA will perform an annual test of the CCB system, per NYAB Test ABT-2771, on select locomotives from the control group. The results of the tests and the information gathered throughout the year will be used to determine if the test plan can be extended for another year.

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 FRA-1999-6252) and must be submitted to the Docket Management Facility, Room PL-401, (Plaza Level) 400 Seventh Street, SW, Washington, DC 20590-0001. Communications received within 45 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 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site at <http://dms.dot.gov>.

Issued in Washington, DC, on October 25, 1999.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance; Petition for Exemption for Technological Improvements

In accordance with Title 49 Code of Federal Regulations (CFR) Sections 211.9 and 211.41, and 49 U.S.C. 20306, notice is hereby given that the Federal Railroad Administration (FRA) has

received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations and a request for exemption of certain statutory provisions. The individual petition is described below, including the party seeking relief, the regulatory and statutory provisions involved, the nature of the relief being sought and the petitioner's arguments in favor of relief.

Santa Clara County Transit District

[FRA Waiver Petition No. FRA-1999-6254]

The Santa Clara County Transit District, also known as the Santa Clara Valley Transportation Authority ("VTA") seeks a permanent waiver of compliance from certain CFR parts of Title 49, specifically: part 214, Railroad Workplace Safety; part 217, Railroad Operating Rules; part 219, Control of Alcohol and Drug Use; part 220, Railroad Communications; part, 221 Rear End Marking Device—Passenger, Commuter and Freight Trains; part 223, Safety Gazing Standards—Locomotives, Passenger Cars and Caboose; part 225, Railroad Accidents/Incidents—Report Classification, and Investigations; part 228, Hours of Service of Railroad Employees; part 229, Railroad Locomotive Safety Standards; part 231 Railroad Safety Appliance Standards; part 234, Grade Crossing Signal System Safety; part 236, Rules, Standards, and Instructions Governing the Installation, Inspection, Maintenance, and Repair of Signal and Train Control Systems, Devices, and Appliances; part 238, Passenger Equipment Safety Standards; part 239, Passenger Train Emergency Preparedness; part 240, Qualification and Certification of Locomotive Engineers; and the statutory requirements 49 U.S.C. §§ 20301 through 20305.

Initial service began on the VTA light rail system in 1987, and by 1991 the 21-mile system was operational. With 33 stations and free parking at 11 park-and-ride lots, the light rail system currently provides service in California to the residential area of South San Jose, the industrial area of Santa Clara, the San Jose Civic Center, the North First Street industrial area and downtown San Jose.

VTA's Tasman West Extension, scheduled to open on December 17, 1999, is a 7.6-mile extension of VTA's light rail system. Adding 11 new stations between Old Ironsides Station in Santa Clara and downtown Mountain View, the Tasman West Extension will extend VTA's light rail system further into Silicon Valley and provide transit accessibility to major high technology employers.

The Tasman West Extension includes approximately 1.6 miles of track that