

Northern Nevada Railroad Corporation (NN)**(Waiver Petition Docket Number RSGM-95-5)**

The NN seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards, Title 49 CFR Part 223 for two locomotives. The 70-ton switcher locomotives were built by General Electric Company in 1950 and 1952 and were recently acquired from the Santa Maria Valley Railroad Company. The NN operates 129 miles of track between Shafter, its interchange with Union Pacific Railroad Company (UP), and Keystone, Nevada. In 1995 the line will be extended to Reiptown, Nevada, a distance of approximately 3 miles, to a new concentrator mill site of Magna Copper. Also in 1995, NN expects to complete a rail/rail crossing at Shafter with the UP and reactivate 18 miles of isolated track to the Southern Pacific Transportation Company interchange at Cobre, Nevada. This will give NN a total of 150 track miles. The area of operation is mostly flat and is extremely rural in nature with a few small towns. The railroad states that there is no record of vandalism.

Issued in Washington, DC on April 25, 1995.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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Petition for Waiver of Compliance

In accordance with Title 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from Procor Limited a request for a waiver of compliance with certain requirements of Federal regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

Procor Limited**(Waiver Petition, Docket Number SA-95-1)**

Procor Limited seeks a waiver of compliance from certain sections of Title 49 CFR Part 231, Railroad Safety Appliance Standards. Procor Limited is requesting a permanent waiver of the provisions of Title 49 CFR Part 231 which requires that handholds be securely fastened with * * * bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets.

Procor Limited built 125 covered hopper cars in 1991 and 58 more covered hopper cars in 1995 for a total of 183 cars that have the side and end handholds secured with the nuts of the bolts to the inside. The bolted connections of the handholds of all 183 cars were applied and the bolts chisel checked under a controlled condition. Car series: UNPX 127000 through 127124, 125 cars; UNPX 128000 through 128029, 30 cars; UNPX 128050 through 128077, 28 cars, Procor Limited requests to continue the use of these subject cars throughout the United States.

Title 49 CFR 231.27(e)(4) requires that side handholds be securely fastened with not less than 1/2-inch bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets. Several other sections in Part 231 address the application of safety appliances (sill steps, ladder treads, etc.) which requires that they be securely fastened with not less than 1/2-inch bolts with nuts outside (when possible) and riveted over, or with not less than 1/2-inch rivets.

Procor Limited states the estimated cost to remove and replace 66 fasteners on each car is \$685.00. Adding out of service time, the anticipated total cost impact of this modification is \$215,000. The cost of changing the nuts from the inside to the outside will not enhance the safe operation of these cars.

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 SA-95-1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received within 45 days of the date of publication 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.) in Room 8201, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

Issued in Washington, DC on April 25, 1995.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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Petition for Waivers of Compliance

In accordance with Title 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received from the MK Rail Corporation (MKRC) and CSX Transportation, Incorporated (CSXT), a request for waiver of compliance with certain requirements of the Federal rail safety regulations. The petition is described below, including the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

MK Rail Corporation (MKRC)**CSX Transportation, Incorporated (CSXT)****(FRA Waiver Petition Docket Numbers PB-95-1—SA-95-2)**

The MKRC and CSXT seek a waiver of compliance from certain regulatory provisions and from underlying Safety Appliance Act requirements in connection with a test of a train known as the Iron Highway. Petitioners seek a waiver of Title 49 CFR 231.6, (Railroad Safety Appliance Standards), Title 49 CFR 232.2, Title 49 CFR 232.13 (Railroad Power Brakes and Drawbars), and Appendix B, Definition Section 13 (Emergency brake-cylinder pressure) and related emergency requirements provisions. Petitioners also seek, pursuant to 45 U.S.C. 20306, exemption from the requirements of portions of 45 U.S.C. 20302(a)(1), (a)(2) and (a)(3) which are the statutory bases for the subject requirements.

The interim version of the Iron Highway train will consist of two conventional type locomotives with modified cab controls, two adapter platforms, one split-ramp platform and 40 load-carrying ramp platforms. The Iron Highway train, which functions as one freight car, is equipped with articulated joints and a continuous deck, permitting highway trailers to bridge the joints with no length restrictions as it is virtually slack free. According to the petitioners, it will reduce weight and train preparation time and will eliminate the loss, damage and delay inherent during current, conventional switching activity. Operating costs are projected to be