

Additionally, the petitioner asserts it employs not more than 15 employees and has demonstrated good cause for granting this exemption.

East Cooper and Berkeley Railroad (ECBR)

*FRA Waiver Petition Docket No. HS-95-8*

The ECBR seeks a continuation of a previously issued exemption so it may permit certain employees to remain on duty not more than 16 hours in any 24-hour period. The ECBR states that it is not its intention to employ a train crew over 12 hours per day under normal circumstances, but this exemption, if granted, would help its operation if unusual operating conditions are encountered. The ECBR provides service over 15.5 miles of track in Berkeley County, between State Junction and Charity Church, South Carolina.

The petitioner indicates that granting the exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts it employs not more than 15 employees and has demonstrated good cause for granting this exemption.

Port Terminal Railroad of South Carolina (PTR)

*FRA Waiver Petition Docket No. HS-95-9*

The PTR seeks a continuation of a previously issued exemption so it may permit certain employees to remain on duty not more than 16 hours in any 24-hour period. The PTR states that it is not its intention to employ a train crew over 12 hours per day under normal circumstances, but this exemption, if granted, would help its operation if unusual operating conditions are encountered. The PTR is a Terminal Switching Railroad operating within the County of Charleston, South Carolina over a two-thirds of a mile of trackage between North Charleston and Charleston, South Carolina. The petitioner indicates that granting the exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts it employs not more than 15 employees and has demonstrated good cause for granting this exemption.

Algers, Winslow and Western Railroad Company (AWW)

*FRA Waiver Petition Docket No. HS-95-10*

The AWW seeks a continuation of a previously issued exemption so it may permit certain employees to remain on

duty not more than 16 hours in any 24-hour period. The AWW states that it is not its intention to employ a train crew over 12 hours per day under normal circumstances, but this exemption, if granted, would help its operation if unusual operating conditions are encountered.

The AWW provides freight service over 16 miles of trackage within Pike County, Indiana. The petitioner indicates that granting the exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts it employs not more than 15 employees and has demonstrated good cause for granting this exemption.

Louisiana and Delta Railroad (LDRR)

*FRA Waiver Petition Docket No. HS-95-11*

The LDRR seeks a continuation of a previously issued exemption so it may permit certain employees to remain on duty not more than 16 hours in any 24-hour period. The LDRR states that it is not its intention to employ a train crew over 12 hours per day under normal circumstances, but this exemption, if granted, would help its operation if unusual operating conditions are encountered. The LDRR railroad operates 91 miles of Class 2 track between New Liberia and Schriever, Louisiana and joint operation with the Southern Pacific Transportation Company (SP), between Cade (MP 131) and Raceland (MP 41.2), Louisiana. Train movements are authorized by the yard limit rule and posted track speeds while on LDRR trackage and Direct Traffic Control on SP trackage. The maximum authorized operating speed is 20 mph on LDRR and 45 mph on the SP by special agreement.

Pioneer Valley Railroad (PVRR)

*FRA Waiver Petition Docket No. HS-95-12*

The PVRR seeks a continuation of a previously issued exemption so it may permit certain employees to remain on duty not more than 16 hours in any 24-hour period. The PVRR states that it is not its intention to employ a train crew over 12 hours per day under normal circumstances, but this exemption, if granted, would help its operation if unusual operating conditions are encountered.

The PVRR provides service over 26 miles of trackage between Westfield and Holyoke, and Westfield and Easthampton, all within the State of Massachusetts. The petitioner asserts it employs not more than 15 employees

and has demonstrated good cause for granting this exemption.

Tennessee Valley Railroad (TVRM)

*FRA Waiver Petition Docket NO. RSAD-95-2*

The TVRM seeks a waiver petition from the requirements of subparts D, E, F, and G of the random alcohol and drug testing provisions. The TVRM provides excursion service over approximately 3 miles of TVRM trackage and also operates over 4 miles of Norfolk Southern trackage. TVRM states that maintaining the required programs will create a financial burden to the railroad.

Issued in Washington, D.C. on December 18, 1995.

Phil Olekszyk,

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

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### Petition for a Waiver of Compliance

In accordance with 49 CFR Sections 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of Federal railroad 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.

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 No. RSEQ-95-4) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

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.) in Room 8201, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

The waiver petition is as follows:

Little Kanawha River Rail (LKRR)

*FRA Waiver Petition Docket No. RSEQ-95-4*

The LKRR seeks a waiver of compliance with Title 49, Code of Federal Regulations (49 CFR), Part 240, "Qualifications for Locomotive Engineers." LKRR is a rural railroad operating over approximately 2.8 miles of track near the Little Kanawha River in Wood County, West Virginia. LKRR operates using a 1200 HP locomotive, No. 1205. LKRR employs 3 part time employees, has a maximum speed of 10 MPH and a 5 MPH restriction over crossings and bridges. The LKRR operates approximately 16 hours per week handling coke into Marietta Industrial Enterprises and scrap metal from Ames Corporation.

LKRR handles about 55 cars per month. LKRR has 4 crossings at grade on its property and interchanges with the CSXT near the end of its line. LKRR states that granting this waiver will not have a negative impact on safety.

Issued in Washington, D. C. on December 18, 1995.

Phil Olekszyk,

*Deputy Associate Administrator for Safety Compliance and Program Implementation*  
[FR Doc. 95-31116 Filed 12-20-95; 8:45 am]

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### **Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 CFR Part 236**

Pursuant to Title 49 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 Title 49 CFR Part 236 as detailed below.

Block Signal Application BS-AP-No. 3370

*Applicant:* Portland and Western Railroad, Incorporated, Mr. A.W. Mogytych, President and General Manager, P.O. Box 942, Albany, Oregon 97321

The Portland and Western Railroad, Incorporated (PNWR) seeks approval of the proposed discontinuance and removal of the traffic control system, on the single main track and controlled siding, between Greton, milepost 757.0 and St. Marys, milepost 751.8, Oregon,

a distance of approximately 5 miles, and operate trains by track warrant control.

The reason given for the proposed changes is that of the 106 miles of main line track that PNWR operates, only 5 miles of trackage is controlled by CTC. The maintenance of the CTC imposes a unnecessary cost burden upon PNWR, and frequent and costly train delays are experienced because of difficulties in establishing communications with the SP dispatching personnel in Denver. PNWR is the only operating carrier within the CTC limits and the carrier's track warrant system utilized on 83.2 miles of other trackage, is adequate to safely handle PNWR traffic in lieu of CTC. Acquisition and installation of CTC controls to operate from PNWR's Albany, Oregon, dispatching office would be prohibitively expensive.

BS-AP-No. 3371

*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 modification of the automatic block signal system, on the single main track, at North End of Travis, milepost 253.9, near San Antonio, Texas, Austin Subdivision; consisting of the discontinuance and removal of automatic block signal 2539-2 and absolute signal 2540-2, conversion of absolute signal 2545-2 to automatic operation, and relocation of automatic signal 2546-2.

The reason given for the proposed changes is that Travis siding is no longer used for the meeting and passing of trains.

BS-AP-No. 3372

*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 discontinuance and removal of the rail locks and associated power-operated switch machines, on the two main track Baring Cross Bridge, milepost 345.4, near North Little Rock, Arkansas, Little Rock Subdivision.

The reason given for the proposed changes is to modernize the operation of the Baring Cross Bridge.

BS-AP-No. 3373

*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 discontinuance and removal of the automatic block signal system, on the single main track, between Montana Junction, Idaho, milepost 136.7 and Idaho Falls, Idaho, milepost 189.4, Montana Subdivision, approximately 53 miles; consisting of the discontinuance and removal of 81 automatic block signals and conversion of signals 1382 and "BW Hold" to operative distant signals.

The reason given for the proposed changes is that traffic density does not warrant an automatic block signal system.

BS-AP-No. 3374

*Applicant:* Southern Pacific Lines, Mr. J. A. Turner, Engineer—Signals, Southern Pacific Building, One Market Plaza, San Francisco, California 94105

The Southern Pacific Lines seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the No. 2 main track, between Valley Blvd X-Overs, milepost B-485.5 and Taylor Junction B-482.8, California, Los Angeles Division, Basin Subdivision, West Line; consisting of the discontinuance and removal of automatic block signal 4846 and designation of the No. 2 main track to a yard track.

The reason given for the proposed changes is that due to minimum track usage, the automatic block signal system is no longer required.

BS-AP-No. 3375

*Applicant:* Southern Pacific Lines, Mr. J. A. Turner, Engineer—Signals, Southern Pacific Building, One Market Plaza, San Francisco, California 94105

The Southern Pacific Lines seeks approval of the proposed conversion of the manual interlocking system to a traffic control system, between Polk, milepost 131.8 and Elvas, milepost 92.1, California, Roseville Division, San Joaquin Subdivision.

The reason given for the proposed changes is to enhance safety by having the operator use the same operating rules as the dispatchers on joining territories.

BS-AP-No. 3376

*Applicant:* Southern Pacific Lines, Mr. J. A. Turner, Engineer—Signals, Southern Pacific Building, One Market Plaza, San Francisco, California 94105

The Southern Pacific Lines (SP) seeks approval of the proposed discontinuance and removal of the barricade detectors and installation of