

Federal Railroad Administration**Petition for a Waiver of Compliance**

In accordance with Title 49 Code of Federal Regulations (CFR) §§ 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 the 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.

Transcisco Rail Services Company (Transcisco), FRA Waiver Petition Docket No. RSEQ-96-1

Transcisco seeks a waiver of compliance from that part of 49 CFR Part 240.105 *Criteria for selection of designated supervisors of locomotive engineers*, specifically, paragraph (b)(4). Transcisco operates over 4 miles of main track and an industrial yard within the city limits of Miles City, Montana. The grade is essentially level and trains operate at a restricted speed not exceeding 10 mph. The railroad traverses six public crossings at grade four which have active warning devices.

Transcisco operates one SW7 locomotive and has a GE 25 ton locomotive as a backup. Transcisco usually operates 1 shift per day and interchanges with the BNSF on a transfer track owned by Transcisco within Miles City limits. Transcisco employs two locomotive engineers and intends to certify both according to their program after the first becomes a Designated Supervisor of Locomotive Engineers contingent upon the granting of this wavier request.

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-96-1) 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 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 a.m.-5 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., Room 7051, Washington, D.C. 20005.

Issued in Washington, D.C. on October 15, 1996.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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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. 3405

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 traffic control signal system, on the two main tracks, at Stockton, California, milepost 91.8, on the Canyon Subdivision, consisting of the discontinuance and removal of controlled signals "L" and "R".

The reason given for the proposed changes is that train operations in the area no longer require signals at this location.

BS-AP-No. 3408

Applicant: R. J. Corman Railroad Company, Mr. J.D. Boles, Supervisor of Signals, P.O. Box 337, Guthrie, Kentucky 42234

The R.J. Corman Railroad Company seeks approval of the proposed discontinuance and removal of the North and South absolute signals, on the single main track, governing movements over the Cumberland River Bridge, milepost 178.0, near Clarksville, Tennessee, Memphis Line, Clarksville

Subdivision, associated with the installation of mast mounted stop signs.

The reason given for the proposed changes is that the signal appliances are in very poor, nonmaintainable, and broken condition due to extensive vandalism and age of the devices, and the amount of business performed on this area of trackage does not warrant the extensive repairs to maintain the absolute signals.

BS-AP-No. 3409

Applicant: Northern Vermont Railway Company, Mr. Robert T. Schmidt, President and CEO, Northern Main Junction Park, RR2 Box 45, Bangor, Maine 04401-9602

The Northern Vermont Railway Company seeks approval of the proposed discontinuance and removal of the train signal system, on the single main track, between Newport, Vermont, milepost 1.8 and Wells River, Vermont, milepost 63.7, on the Lyndonville Subdivision; and between milepost 58.3 and milepost 55.3, near Newport, Vermont, on the Newport Subdivision, a total distance of approximately 65 miles.

The reasons given for the proposed changes are that freight train service has altered the operations in the application area, there have been no train meets for several years on the Lyndonville Subdivision, and the maintenance and repair of the signal system is very expensive.

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., Washington, D.C. 20590 within 45 calendar days of the date of issuance 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 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 October 16, 1996.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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