

prepared for a proposed highway project in Sequoyah and LeFlore Counties, Oklahoma.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Erickson, Division Administrator, Federal Highway Administration, 715 South Metropolitan Avenue, Suite 700, Oklahoma City, Oklahoma 73108, Telephone: (405) 945-6173.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Oklahoma Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to improve US Route 59 (US59) from a two-lane to a four-lane facility from its intersection with State Highway 9 (SH 9), also known as Sunset Corner, north to Interstate 40 (I-40).

This facility has been identified as a Transportation Improvement Corridor (TIC) in the Statewide Intermodal Transportation Plan and improvements to the corridor are considered necessary to meet TIC policy as well as present and future traffic demands. Alternatives under consideration include (1) improve the existing alignment, (2) improve the existing alignment with a new roadway alignment over Wild Horse Mountain, and (3) a new alignment corridor from Sunset Corner north to I-40 just east of Sallisaw.

Letters describing the proposed action and soliciting comments have been sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. Public meetings and/or public hearings will be held in the vicinity of the proposal in the future. Public notice will be given of the time and place of the meetings and/or hearings.

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 at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program).

Issued on: January 6, 1997.

Jim Erickson,
FHWA, Division Administrator, Oklahoma City, Oklahoma.

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Federal Railroad Administration

[FRA Docket No. RSGM-96-5]

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.

Beech Mountain Railroad Company (BMRR)

[Waiver Petition Docket Number RSGM-96-5]

The BMRR seeks a permanent waiver of compliance with certain provisions of the Safety Glazing Standards (49 CFR Part 223.9 (a), certified glazing) for its two locomotives, ALCO S2 1,000 HP #113 and #115, built in the early 1950s.

BMRR is a Class III railroad operating within Randolph and Upshur counties in the state of West Virginia. According to the requesting railroad, the crew consists of five men comprised of one supervisor, one engineer, one brakeman, and two track servicemen. The BMRR is privately owned by Carter-ROAG Coal Company (CRCC). The purpose of the BMRR's operations is to provide transfer service between the CSX Transportation, Incorporated's interchange located in Alexander, West Virginia, and the CRCC's Preparation Plant located in Star Bridge, West Virginia. The BMRR's line transverses—without instances of broken glass due to projectiles—a remote and isolated area. The railroad states that locomotives are early 1950 models, and installation of the safety glazing would require extensive and expensive refacing of the locomotive cabs. The BMRR also states that all employees are aware of this request for waiver and support it without exception.

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 RSGM-96-5) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, 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 (9:00 a.m.—5:00 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 January 8, 1997.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

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[FRA Docket No. LI-96-2]

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.

Canadian National Railroad

[Waiver Petition Docket Number LI-96-2]

The Canadian National Railroad (CN) seeks a permanent waiver of compliance with certain provisions of the Locomotive Safety Standards, 49 CFR 229.27 (a)(2) and 229.29 (a), concerning the time interval provisions of the periodic cleaning, repairing, and testing of locomotive air brake components for all of their locomotives operating in the United States equipped with 26L type brake equipment. FRA currently permits railroads to operate locomotives equipped with 26L type brakes for periods not to exceed 1,104 days, before performing the testing and inspection required by 49 CFR 229.27 (a)(2) and 229.29 (a).

Transport Canada has now authorized CN to operate its locomotives equipped with 26L braking equipment on 48-month cleaning intervals. The only exceptions are two valves in the system (P2A and H5) which will remain on a 36-month interval until future

evaluations establish that desired improvements with the valves have been achieved. According to CN, during the extensive testing period, which began in 1987 and involved approximately 1,200 locomotives, the reliability of the braking systems was never an issue, therefore, train operating safety is not at risk. With the high number of locomotives operating in international service, CN states that managing two different braking system maintenance intervals would be both problematic and costly. Further, to revert to a 36 month cleaning interval after almost ten years of successful testing at 48 month intervals, would not provide any additional safety benefits. CN would like the 48-month maintenance interval to be accepted for all of their locomotives that operate in the United States.

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 LI-96-2) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, 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 (9:00 a.m.—5:00 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 January 8, 1997.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.
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[FRA Docket No. H-92-3]

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 an extension of a waiver of compliance with certain provisions of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being requested.

Westinghouse Air Brake Company

[Waiver Petition Docket Number H-92-3]

In 1992, the Westinghouse Air Brake Company (WABCO) was granted a waiver for their EPIC microprocessor-based locomotive braking equipment. Specifically, the waiver excludes 1000 locomotives equipped with EPIC braking equipment from the requirements of 49 CFR 229.29 by extending the required time interval for cleaning, testing, and inspecting locomotive air brake valves from 736 calendar days to five years. WABCO requests that the waiver condition which limits the number of locomotives permitted to be equipped with EPIC microprocessor-based braking equipment, be adjusted to include *all* locomotives in the United States that are equipped with EPIC 3102 and EPIC II electronic brake equipment. The EPIC 3101 series electronic brake equipment is *not* included in this 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 Number H-92-3) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, FRA, 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.) at FRA's temporary docket room located at 1120 Vermont Avenue, N.W., Room 7051, Washington, D.C. 20005.

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Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.
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[BS-AP-No. 3393]

The New Orleans Public Belt Railroad; Public Hearing

The New Orleans Public Belt Railroad has petitioned the Federal Railroad Administration (FRA) seeking approval of the proposed discontinuance and removal of 15 signals (No.'s 48, 47, 46, 45, 40, 39, 38, 37, 33, 2, 14, 16, 18, 20, and 22) on the two Running tracks, between Lampert Junction, milepost J.O.2 and East Bridge Junction, milepost J.3.0, in New Orleans, Louisiana.

This proceeding is identified as FRA Block Signal Application Number (BS-AP-No.) 3393.

The FRA has issued a public notice seeking comments of interested parties and conducted a field investigation in this matter. After examining the carrier's proposal and the available facts, FRA has determined that a public hearing is necessary before a final decision is made on this proposal.

Accordingly, a public hearing is hereby set for 9:00 a.m. on Wednesday, February 19, 1997, in the New Orleans Union Passenger Terminal, Room 201, located at 1001 Loyola Avenue, New Orleans, Louisiana. Interested parties are invited to present oral statements at the hearing.

The hearing will be an informal one and will be conducted in accordance with Rule 25 of the FRA Rules of Practice (Title 49 CFR Part 211.25), by a representative designated by the FRA.

The hearing will be a nonadversary proceeding and, therefore, there will be no cross-examination of persons presenting statements. The FRA representative will make an opening statement outlining the scope of the hearing. After all initial statements have been completed, those persons wishing to make brief rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures, if necessary for the conduct of the hearing, will be announced at the hearing.