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**Herman C. Bliss,**

*Manager, Airports Division, Western-Pacific Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Cape Girardeau County, MO

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for proposed improvements to the transportation system in Cape Girardeau County, Missouri.

**FOR FURTHER INFORMATION CONTACT:**

Donald Neumann, Programs Engineer, FHWA Division Office, P.O. Box 1787, Jefferson City, MO 65102, Telephone: (573) 636-7104 or Scott Meyer, District Engineer, Missouri Department of Transportation, P.O. Box 160, Sikeston, MO 63801, Telephone: (573) 472-5333.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Missouri Department of Transportation (MoDOT), will prepare an environmental impact statement (EIS) for a proposed project to improve the transportation system in the vicinity of Missouri Routes 34 and 72 in Cape Girardeau County, Missouri.

Improvements to the corridor are considered necessary to provide for a safe and efficient transportation network. Alternatives under consideration include (1) taking no action; (2) using alternate travel modes; (3) upgrading and improving the existing roadways; and (4) constructing a four-lane roadway on new or partially-new location. Design variations of grade and alignment will be incorporated into and studied with the various build alternatives. The proposed action will likely include transportation improvements from the intersection of Missouri Routes 34 and 72, west of Jackson, Missouri, to the Missouri Route K interchange with Interstate 55 in Cape Girardeau, Missouri.

The scoping process will involve all appropriate federal, state, and local agencies, and private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public meetings will be held to engage the regional

community in the decision making process, and to obtain public comment. Public meetings are tentatively scheduled for fall, 1997 and for spring, 1998. In addition, a public hearing will be held to present the findings of the draft EIS (DEIS). Public notice will be given of the time and place of the meetings and hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

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 or MoDOT at the addresses provided above.

(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 program)

Issued on: September 9, 1997.

**Donald Neumann,**

*Programs Engineer, Jefferson City.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petitions for Waivers 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 requests for waivers of compliance with certain requirements of its safety standards. The individual petitions are described below, including the parties seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioners' arguments in favor of relief.

#### The Bay Line Railroad, L.L.C.

(Waiver Petition Docket Number PB-97-2)

The Bay Line Railroad, L.L.C., seeks a permanent waiver of compliance from certain provisions of the Railroad Power Brakes and Drawbars regulations, 49 CFR part 232, Section 23, concerning the requirements of two-way end-of-train (EOT) devices. Specifically, the Bay Line Railroad seeks relief from requiring two-way EOT devices on any of its road trains.

The Bay Line Railroad operates only one road train daily, Sunday through Thursday. There are no trains on Friday

or Saturday. The road train makes the scheduled round trip of 162 miles from Panama City, Florida, to Dothan, Alabama, using one train crew within an eight hour tour of duty. The maximum allowable speed for the train is 40 mph. The Bay Line Railroad reports that the average tonnage of the southbound train is 9,000 tons, and the northbound train averages 4,400 tons. The ruling grade on the railroad's main line is 0.833 percent, with the average grade over the entire line of 0.28 percent. The Bay Line Railroad has three one-way EOT's and would continue to use them on all road trains. The Bay Line Railroad states that it has not had a train accident in twenty years and has not had a loss time injury in the Operating Department in over seven years. The Bay Line Railroad also declares that there has not been a runaway train or crimped train line incident in the history of the railroad, and reasons that the type of accident which would require a two-way EOT device to apply the brakes from the rear of the train has never occurred and probably would never occur on the Bay Line Railroad. The Bay Line Railroad believes that reducing its track speed to 30 mph would reduce service to its customers and connecting railroads with no increase in safety.

#### CSX Transportation, Incorporated

(Waiver Petition Docket Number PB-97-10)

By letter dated August 29, 1997, CSX Transportation, Incorporated (CSX) seeks a temporary waiver of compliance from certain provisions of the Railroad Power Brake and Drawbars regulations, 49 CFR 232.25(d), concerning the calibration of the front unit of a two-way EOT device. Specifically, CSX wants relief from the calibration and labeling requirements for all front units until December 31, 1997.

Section 232.25(d) states: The telemetry equipment shall be calibrated for accuracy according to the manufacturer's specifications at least every 365 days. The date of the last calibration, the location where the calibration was made, and the name of the person doing the calibration shall be legibly displayed on a weather-resistant sticker or other marking device affixed to the outside of both the front unit and rear unit. The Two-Way EOT Device Final Rule was published on January 2, 1997, and became effective July 1, 1997. FRA provided a grace period until September 1, 1997, for railroads to accomplish the calibration and labeling requirements of front units.

CSX references a letter dated August 14, 1997, from the Association of American Railroads (AAR) to FRA