

Transportation, 125 East 11th Street, Austin, Texas 78701-2483 Telephone: (512) 416-2734.

SUPPLEMENTARY INFORMATION: The project was initially planned to be studied in a single EIS with limits from Interstate Highway 35 West (IH 35W) in Fort Worth, Tarrant County, to State Highway 174 (SH 174) in Johnson County. A first Notice of Intent (NOI) was published in the August 4, 1988, Federal Register with the SH 121 EIS limits being proposed for the South Section of the project. A second NOI was published in the April 5, 1990, Federal Register with the SH 121 EIS limits being proposed for the North Section of the project. This third NOI will change the scope of the EIS. The result will be a change of the limits and scope of the freeway project with portions that are proposed to be developed as a toll road where it is determined to be economically feasible. The limits of the EIS for the proposed project are now portions of the North and the South Sections of SH 121 and will extend from Interstate Highway 30 (IH 30) in Fort Worth to Farm-to-Market Road 1187 (FM 1187), all within Tarrant County. The previous documentation was subdivided into a Draft Environmental Impact Statement (DEIS) for the North Section with another DEIS for the South Section. The DEIS for South Section was completed and a public hearing was held but a Record of Decision was not issued. The DEIS for the North Section was not completed and work was suspended. The new EIS for the proposed facility will cover a part of the South Section from IH 20 to FM 1187 and part of the North Section from IH 30 to IH 20. Companion documentation is being prepared separately for the remainder of the North Section of the proposed facility from IH 35W to IH 30 in Fort Worth, Tarrant County, as well as the remainder of the South Section of the proposed facility from FM 1187 in Tarrant County to U.S. Highway 67 (US 67) in Cleburne; Johnson County.

Numerous public involvement activities have taken place during the development of the proposed project and will continue until a general consensus is reached on a preferred alternative. Many alternatives and routes have been considered. Among the alternatives considered for a proposed project are build nothing, freeway development, and toll road development.

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 the proposed action and the EIS should be directed to the FHWA or TxDOT at the address provided.

(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)

Walter C. Waidelich,
District Engineer.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) received from the Burlington Northern Santa Fe Railroad (BNSF) a request for a waiver of compliance with certain requirements of the Code of Federal Regulations. The petition is described below, including the regulatory provisions involved, and the nature of the relief being requested.

Burlington Northern Santa Fe Railroad, Docket Number RST-97-6

This notice covers the request of the BNSF to be relieved of compliance with Section 213.57(b) of the Federal Track Safety Standards (49 CFR 213) for the operation of National Passenger Corporation (Amtrak) trains at up to five (5) inches of unbalance on the former Santa Fe Railroad. Since 1994, Amtrak trains have been operating at up to 4 inches of unbalance or cant deficiency on the former Burlington Northern Railroad. This petition would extend the waiver to the former Santa Fe Railroad and increase the level of unbalance from 4 inches to 5 inches.

Section 213.57(b) refers to the maximum allowable train operating speeds on non-tangent track as a function of existing curvature and superelevation and, further, introduces the concept of unbalanced superelevation (cant deficiency) in particular modes of train operation. The idea of trains negotiating curved track at speeds producing either positive or negative unbalance was discussed previously in the **Federal Register** (52 FR 38035 on October 13, 1987).

Currently, Section 213.57(b) permits a maximum of 3 inches to be used as the underbalance term in the formulation of curve/speed tables by track maintenance

engineers defining intermediate train speeds and curved track superelevations for any route between two points.

BNSF petitioned for permission to substitute the value of 5 inches instead of 3 inches in determining maximum train speeds on track owned by the railroad and used under contract by Amtrak in the provision of transcontinental passenger train service. BNSF is requesting the waiver to assist Amtrak in improving its operating efficiency.

Interested parties may submit written views, data, or comments on this petition. 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 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 RST-97-6), and must be submitted in triplicate to the Docket Clerk, Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW, Washington, DC 20590.

Communications received within 30 days from the 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 a.m.—5 p.m.) at FRA's offices at 1120 Vermont Avenue, NW, Room 7051, Washington, DC 20005.

Issued in Washington, DC on May 4, 1998.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Docket No. RST-97-5]

Petition for Exemption or Waiver of Compliance With the Requirements of Section 213.233(c) of the Federal Track Safety Standards; New Jersey Transit Rail Operations, Inc.

In accordance with 49 CFR 211.41, notice is hereby given that the New Jersey Transit Rail Operations, Incorporated, (NJTR) has submitted a petition, dated December 3, 1997, for a