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 1999–6639) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL–401 (Plaza Level), 400 7th 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 the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site at *http://dms.dot.gov.*

Issued in Washington, DC on January 18, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–1999–6252]

CSX Transportation, Inc.; Public Hearing

On November 1, 1999, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** announcing CSX Transportation, Inc.'s (CSXT) request to obtain a temporary waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, Title 49, Code of Federal Regulations (CFR), Part 229. Specifically, CSXT requests relief from the requirements of 49 CFR 229.27(a)(2), Annual tests, and 49 CFR 229.29(a), Biennial tests, as solely applicable to all present and future installations of the New York Air Brake Corporation's Computer Controlled Brake (CCB) Systems on CSXT locomotives. CSXT is making this request so they can begin the implementation of a Test Plan to prove the new technology incorporated in this brake system is more reliable and safer in the rail transportation industry with the intent of relying on the CCB computer diagnostics to identify defective components and repair as required. The petitioner seeks to move toward a performance-based COTS criterion.

As a result of comments received by FRA concerning this waiver petition, FRA has determined that a public hearing is necessary before a final decision is made on this petition. Accordingly, a public hearing is hereby set for 9:00 a.m. on Wednesday, February 23, 2000, in Conference Room One, Seventh Floor, at 1120 Vermont Avenue, NW, Washington, DC 20005. Interested parties are invited to present oral statements at this hearing. The hearing will be informal and will be conducted in accordance with Rule 25 of the FRA Rules of Practice (49 CFR 211.25) by a representative designated by FRA. The FRA representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding this waiver petition without cross-examination. After all initial statements have been completed, those persons wishing to make a brief rebuttal will be given an opportunity to do so in the same order in which initial statements were made.

Issued in Washington, DC on January 18, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

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 from certain requirements of its safety standards. The individual petition is described below including, the party seeking relief, the regulatory provision involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

RailRunner, Manufacturer of "IRV®" Intermodal Rail Vehicle

(Waiver Petition Docket Number FRA-1999-6416)

RailRunner is seeking a permanent waiver of compliance with the *Railroad Safety Appliance Standards*, 49 CFR 231.1(a)(3)(I); § 231.1(a)(3)(ii) which specifies the operation and location of the hand brake shaft; § 231.1 (b) through (j) which specifies the location, dimension and manner of application of brake steps, sill steps, end ladder clearance, roof handholds, side handholds, horizontal handholds and vertical handholds; and *Railroad Freight Car Safety Standards*, 49 CFR part 215, Appendix A (I) (4) which restrict the use of an "I" section compression or tension member on truck side frame, for RailRunner Intermediate Rail Vehicle equipment.

The RailRunner car-less intermodal system consists of modified semi-trailers, or container chassis, interconnected by special purpose rail bogies. Trailers are fitted with receivers at each end to allow mating with the bogies. The trailers are also fitted with air lines to provide air for brakes and air springs.

The bogie is a fabricated radial truck with air springs. The air springs are used to lift the trailers to proper height above the rail, and they also act as the secondary suspension. Shear pads provide lateral and longitudinal suspension stiffness. The bogie uses conventional 33-inch wheel sets and truck mounted brakes. Each bogie is fitted with an ABDX control valve and a lever-type hand brake.

The trailers rest on the upper frame of the bogie, which carries the vertical load. In-train longitudinal forces are transmitted through a continuous drawbar between the trailers. The drawbar is connected to each trailer through a 3-inch diameter pin.

The front and rear of the train are fitted with a transition bogie. This bogie has an identical lower frame and suspension arrangement to the intermediate bogie. The upper frame is basically a conventional railcar center sill and draft sill. The draft sill holds a top and bottom shelf coupler with an M-901E draft gear. The sill also supports a crossover platform. The transition bogie allows the RailRunner train to be coupled to a locomotive or other standard railcars.

A RailRunner bogie has two lower frames, one over each axle and one upper frame. The lower frames are linked at the center of the bogie to allow frames and axles to align radial in a curve. The upper frame serves two