

Capture System, Rehabilitate Taxiway D, Construct Perimeter Road, Rehabilitate Taxiway A, Rehabilitate Taxiway E.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: non-scheduled Part 135 Air Taxis/Commercial Operators.

Any person may inspect the application in person at the FAA office listed above **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice, and other documents germane to the application in person at the Kalamazoo/Battle Creek International Airport.

Issued in Des Plaines, Illinois, on May 23, 2000.

**Benito De Leon,**

*Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.*

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**BILLING CODE 4910-13-M**

## 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 with a provision of the Federal hours of service laws (108 Stat. 888, Pub. L. 103-272, 49 U.S.C. 21106). The Federal hours of service laws currently make it unlawful for a railroad to construct or reconstruct sleeping quarters for certain employees if the sleeping quarters are in an area or in the immediate vicinity of an area as determined under regulations prescribed by the Secretary of Transportation in which railroad switching or humping operations are performed. See 49 U.S.C. 21101 and 21106. Title 49 CFR part 228, subpart C, defines FRA's distance requirements for construction, reconstruction, and/or acquisition of sleeping quarters.

#### Burlington Northern Santa Fe Railway Company (BNSF)

[Waiver Petition Docket No. FRA-1999-5107]

BNSF petitions for approval to utilize a facility to be constructed, owned, and operated by a third party which will be located within one-half mile of railroad switching operations at Thayer, Missouri. See 49 CFR 228.103. BNSF states that the planned structure will be a commercial lodging facility that is open to the general public. BNSF

proposes to enter into a lodging contract with the new facility owner to guarantee room availability for its train and engine crews operating in and out of Thayer. Crews are presently housed at a motel in White Plains, Missouri, approximately 27 miles from Thayer. The petitioner indicates that granting the exemption will not adversely affect safety.

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 1999-5107) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 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 (9:00 a.m.-5:00 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, D.C. on May 25, 2000.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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**BILLING CODE 4910-06-P**

## 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 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.

#### Durbin & Greenbrier Valley Railroad, Inc.

[Waiver Petition Docket Number FRA-2000-7001]

Durbin & Greenbrier Valley Railroad, Inc. (DGVR) seeks a permanent waiver of compliance from certain provisions of the Safety Glazing Standards, 49 CFR 223.9, which requires certified glazing, for one locomotive (self propelled railway motor cars) utilized in excursion service on DGVR in Durbin, West Virginia. DGVR indicates that they would provide front and rear facing windows with FRA Type I glazing, but would like to equip the side facing windows with safety glazing. They state that the motor cars are not air conditioned, and the passenger compartment side windows can be opened.

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 2000-7001) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 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 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 May 25, 2000.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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