

Section 4.4 of the SSPP requires safety audits and investigations. Section 3.4 of the SSPP covers the same ground on recordkeeping. Section 239.301 requires each railroad to periodically conduct operational efficiency tests of its on-board and control center employees to determine the extent of compliance with the emergency preparedness plan. These emergency preparedness standards will provide a level of safety equivalent to the FRA requirements in a manner more appropriate to the NCS operating environment.

Part 240—Qualification and Certification of Locomotive Engineers

Part 240 contains requirements for locomotive engineer eligibility, training, testing, certification and monitoring. In the FRA/FTA Policy Statement, FRA and FTA indicated that FRA would waive the requirements of part 240 for temporally-separated light rail operations subject to state safety oversight under 49 CFR part 659. FRA/FTA Policy Statement, 64 FR at 28241. FRA repeated that intention in the Statement Concerning Jurisdiction, 64 FR at 59055–56.

FRA says petitioners should describe those aspects of their SSPP that assure that operators “receive the necessary training and have proper skills to operate a light rail vehicle in shared use on the general railroad system.” Statement Concerning Jurisdiction, FR at 59055. FRA suggests that the petition should “explain what safeguards are in place to ensure that operators receive at least an equivalent level of training, testing, and monitoring on the rules governing train operations to that received by locomotive engineers employed by conventional railroads.” *Id.*

NJ Transit requests a waiver from these requirements because NCS will be following operator training and qualification standards contained in the NCS SSPP. Under Section 5.5 of the SSPP, NCS vehicle operators must meet specific training and certification requirements. All operators must pass the operator certification in order to be authorized for operations. NCS operators receive a 7-day training and certification course from the Light Rail Operations Training personnel. The Operational Training Instructors have experience in subway operations. These Instructors are selected from candidates with a three-year clean driving record. They are also experienced as Bus Operator Instructors. Once selected, an Instructor receives Instructional and Presentation skills training and six weeks of on-the-job training. Finally, once the Instructor begins operational

training, he/she conducts his/her first class under the observation of a trained Instructor.

The NCS SSPP also provides for recertification of operators by way of reinstruction training or refresher training. An operator receives reinstruction training if he/she has been involved in an accident, misuse of equipment, or has been observed engaging in unsafe acts by management supervision. An operator receives refresher training if the operator has been inactive for more than 90 days, out sick for an extended period of time, or has been requested by management to do so. This training is tailored to the individual employee needs and is done on a one-on-one basis with an Operational Training Instructor.

The initial training course has three days of instruction and three days of operation with an Instructor. Each of the three days of operation requires at least 8 hours; each day covers a different run and at least one day covers a night run. The seventh day of training includes a final road test, a written exam and a review of emergency procedures. The minimum passing score on the written exam is 70 percent. Candidates for operator positions must meet qualifications consistent with NJDOT Commercial Drivers License qualifications. Such qualifications are intended to substantially conform to the requirements and standards under the Commercial Motor Vehicle Safety Act of 1986, 49 U.S.C. 2701 *et seq.* See N.J.S.A. 39:3–10.10. The requisite visual acuity must be correctable to 20/20.

NJ Transit believes that compliance with these operator qualification and training requirements will provide at least an equivalent level of safety to the training and other requirements in part 240. See FRA/FTA Policy Statement at 28422.

Interested parties are invited to participate in this proceeding by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with either the request for a waiver of certain regulatory provisions or the request for an exemption of certain statutory provisions. If any interested party desires an opportunity for oral comment, he or she should notify FRA, in writing, before the end of the comment period and specify the basis for his or her request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.*, Waiver Petition Docket Number FRA 2000–7335) and must be submitted to the DOT Docket Management Facility, Room PL–401 (Plaza level) 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 this proceeding 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, DC on June 22, 2000.

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DEPARTMENT OF THE TREASURY

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In order to comply with the mandate of section 999(a)(3) of the Internal Revenue Code of 1986, the Department of the Treasury is publishing a current list of countries which may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

On the basis of the best information currently available to the Department of the Treasury, the following countries may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

Bahrain
Iraq
Kuwait
Lebanon
Libya
Oman
Qatar
Saudi Arabia
Syria
United Arab Emirates
Yemen, Republic of

Dated: July 6, 2000

Philip West,

International Tax Counsel (Tax Policy).

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