

Committee's Executive Director or by bringing the copies to the meeting. Public statements will only be considered if time permits.

Issued in Washington, DC on March 29, 2001.

**Anthony F. Fazio,**

*Director, Office of Rulemaking.*

[FR Doc. 01-8442 Filed 4-5-01; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2001-8698]

#### Petition for Special Approval of Alternative Fuel Tank Safety Standard Petition for Waiver of Compliance

In accordance with Title 49 of the Code of Federal Regulations (CFR), part 238 (Passenger Equipment Safety Standards), and 49 CFR part 211 (Rules of Practice), notice is hereby given that the Federal Railroad Administration (FRA) has received a request captioned as a petition for special approval to use an alternative fuel tank safety standard. FRA is hereby providing the public an opportunity to comment on this petition.

As specified in 49 CFR part 238.223 (Locomotive fuel tanks), paragraph (a), external passenger locomotive fuel tanks must comply with safety requirements contained in appendix D to 49 CFR part 238, or an industry standard providing at least an equivalent level of safety if approved by FRA under 49 CFR part 238.21. The American Public Transportation Association (APTA) has petitioned FRA for special approval to use industry standard APTA SS-C&S-007-98 Rev. 1, Standard for Fuel Tank Integrity on Non-Passenger Carrying Passenger Locomotives, as an alternative standard to fulfill the requirements of 49 CFR part 238.223. APTA's petition, including a copy of APTA SS-C&S-007-98 Rev. 1 and a comparison of this standard to FRA's requirements specified in 49 CFR part 238.223, is available for public examination as explained below.

APTA's petition for special approval appears to encompass both the external passenger locomotive fuel tank safety standards in 49 CFR part 238.223, paragraph (a), and the internal passenger locomotive fuel tank safety standards specified in 49 CFR part 238.223, paragraph (b).

FRA notes that 49 CFR part 238.223, paragraph (b), does not expressly provide the opportunity to seek special approval of an alternative, internal fuel

tank safety standard. Insofar as a portion of APTA's request relates to the internal fuel tank safety standard specified in 49 CFR part 238.223, paragraph (b), FRA will consider that portion of the request a request for a waiver of compliance to be evaluated under the requirements of 49 CFR part 211. Otherwise, FRA will evaluate APTA's request as a petition for special approval of an alternative, external locomotive fuel tank safety standard to be evaluated under the requirements of 49 CFR part 238.

Interested parties are invited to participate in this proceedings by submitting written views, data, or comments as to the safety of APTA's alternative fuel tank safety standard. FRA does not anticipate scheduling a public hearing in connection with this proceeding. 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 the request. All communications concerning this proceeding should identify the appropriate docket number, Docket Number FRA-2001-8698, and must be submitted to the DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh 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 this proceeding 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 March 26, 2001.

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

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

[FR Doc. 01-8433 Filed 4-5-01; 8:45 am]

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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 Guilford Rail System (GRS) has petitioned the Federal Railroad Administration (FRA) for a waiver of the Federal Track Safety Standards, Section 213.113, Defective

Rails, which requires specific remedial actions for various types of rail flaws.

#### The Guilford Rail System

[Docket Number FRA-2000-8623]

GRS states that it voluntarily instituted a program to perform continuous searches for internal defects on certain lower speed branch lines when the Track Safety Standards do not mandate those inspections to be made. The standards require internal flaw inspections at various frequencies on Class 3 through 9 track.

In the event that rail defects are located during the additional rail inspections, which are not required by the safety standards, GRS requests that the railroad be able to use its discretion to decide whether operational safety would be protected by applying speed restrictions as the remedial action, or whether the specific remedial actions required by Section 213.113 are warranted. According to GRS, the goal of the program is to discover and address defects in rails before those conditions reach a level that may affect the safety of trains.

GRS states that the effect of the program would be to promote safety by allowing it to perform more comprehensive rail inspections. GRS expects the waiver to increase the safety on branch lines, with the expectation of fewer instances of derailments due to track conditions.

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 this proceeding, however, 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 this proceeding should be identified with Docket Number FRA-2000-8623 and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, 400 7th Street, SW., Washington, DC 20590-0001.

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 to the extent possible. GRS's petition and all written communications concerning this proceeding are available for examination during regular business hours (9 a.m.-5 p.m.) at the DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. 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 April 2, 2001.

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

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

[FR Doc. 01-8432 Filed 4-5-01; 8:45 am]

**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 from certain requirements of its safety regulations. 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.

#### Wabtec Railway Electronics

[Docket Number FRA-2001-9270]

Wabtec Railway Electronics (Wabtec) seeks a permanent waiver of compliance from certain provisions of the *Railroad Power Brake and Drawbars* regulations, 49 CFR 232, regarding two-way end-of-train devices. Specifically, section 232.23(f)(2) requires:

The rear unit batteries shall be sufficiently charged at the initial terminal or other points where the device is installed and throughout the train's trip to ensure that the end-of-train device will remain operative until the train reaches its destination.

Wabtec has recently developed an air generator for its TrainLink II End-of-Train units and plans to market the product under the trade name of TrainLink II-ATX. Wabtec states that this new product eliminates the need for separate battery packs by using brake pipe pressure to drive an air turbine and associated electrical generator. The generator provides sufficient electrical power for the EOT to perform all EOT functions and to charge a small backup battery with brake pipe pressure as low as 55 psi. Below 55 psi, the backup battery provides power for at least 5 hours from a fully charged condition. Air flow to the generator is filtered for particulates and water to prevent clogging of the turbine nozzle. At 90 psi, the air flow is about 1.3 SCFM and decreases to 1.0 SCFM at 55 psi. Wabtec tested the product on a 150-car air brake test rack at their facility in Germantown,

Maryland, and provided the following summarized results:

(1) With the brakes released and brake pipe pressure at 90 psi, air flow from the generator causes a 0.2-psi pressure drop at the rear of the train. This incremental 0.2-psi drop is the same regardless of the amount of gradient caused by other leaks. For example, a 15-psi gradient was simulated by introducing a leak at car 145. When the air motor is cut-in, the pressure at car 150 drops by an additional 0.2 psi.

(2) Although Wabtec believes a sudden blockage of the air nozzle is unlikely, tests were performed to ensure that a sudden drop in air flow to the turbine would not cause the brakes to release. With the air generator cut-in, no additional simulated leaks, and brakes released at 90 psi, a minimum application was initiated. Pressure was monitored every 20 cars along the rack. Thirty seconds after the minimum application was initiated, the air motor was cut-out. Brakes did not release.

(3) The test in item 2 was repeated with delay times of 60 and 90 seconds after the minimum brake application was initiated. The brakes did not release in any case.

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 FRA-2001-9270) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL-401, 3 Washington, DC 20590-0001. Communications received within 35 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 DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street SW., Washington, DC. 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 April 2, 2001.

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

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

[FR Doc. 01-8435 Filed 4-5-01; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2000-7257, Notice No. 24]

#### Railroad Safety Advisory Committee; Notice of Meeting

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of Railroad Safety Advisory Committee ("RSAC") meeting.

**SUMMARY:** FRA announces the next meeting of the RSAC, a Federal Advisory Committee that develops railroad safety regulations through a consensus process. The meeting will address a wide range of topics, including possible adoption of specific recommendations for regulatory action.

**DATES:** The meeting of the RSAC is scheduled to commence at 9:30 a.m. and conclude at 4 p.m. on Monday, April 23, 2001.

**ADDRESSES:** The meeting of the RSAC will be held at the Mayflower, a Renaissance Hotel, in the Colonial Room, 1127 Connecticut Avenue, NW., Washington, DC 20036, (202) 347-2000. The meeting is open to the public on a first-come, first-served basis and is accessible to individuals with disabilities. Sign and oral interpretation can be made available if requested 10 calendar days before the meeting.

**FOR FURTHER INFORMATION CONTACT:** Trish Paoletta, or Lydia Leeds, RSAC Coordinators, FRA, 1120 Vermont Avenue, NW., Stop 25, Washington, DC 20590, (202) 493-6212/6213 or Grady Cothen, Deputy Associate Administrator for Safety Standards and Program Development, FRA, 1120 Vermont Avenue, NW., Mailstop 25, Washington, DC 20590, (202) 493-6302.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), FRA is giving notice of a meeting of the Railroad Safety Advisory Committee ("RSAC"). The meeting is scheduled to begin at 9:30 a.m. and conclude at 4 p.m. on Monday, April 23, 2001. The meeting of the RSAC will be held at the Mayflower Hotel in the Colonial Room, 1127 Connecticut Avenue, NW., Washington, DC 20036,