

**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.

**Michigan State Trust for Railway Preservation, Inc.**

[Docket Number FRA-2001-10255]

The Michigan State Trust for Railway Preservation, Inc. seeks a waiver of compliance with the Inspection and Maintenance Standards for Steam Locomotives, 49 CFR part 230, published November 17, 1999. Section 230.3(c) of the standards requires steam locomotives having flue tubes replaced prior to September 25, 1995, have a one thousand four hundred seventy-two service day inspection (49 CFR 230.17) performed prior to being allowed to operate under the requirements. The Michigan State Trust for Railway Preservation, Inc. seeks this waiver for one locomotive number 1225, which had the flue tubes replaced and was returned to service August 5, 1995, fifty-one days prior to the cut off date published in the requirements.

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-2001-10255) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401, 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 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 October 2, 2001.

**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 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 favour of relief.

**The Minnesota Transportation Museum, Inc.**

[Docket Number FRA-2001-10213]

The Minnesota Transportation Museum, Inc. of St. Paul, MN, has petitioned for a waiver of compliance for one locomotive identified as "Anderson Windows 3110" from the requirements of the Safety Glazing Standards-Locomotive, 49 CFR Part 223.11, which requires that other than yard locomotives, locomotives manufactured prior to July 1, 1980, must be equipped with certified glazing in all locations of cab windows. The subject locomotive is reported to be a Electro-Motive Division SW-1 built in 1949. The locomotive is used in tourist service over the Wisconsin Central and the Union Pacific Railroad in rural east-central Minnesota and north-west Wisconsin.

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-2001-10213) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room Pl-401, Washington, DC. 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 (9:00 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 October 2, 2001.

**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-2001-10278]

**Temporary Cessation of Sounding of Locomotive Horn—Coon Rapids, MN**

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

**ACTION:** Notice of interim final order and request for comments.

**SUMMARY:** FRA is issuing an Interim Final Order in which The Burlington Northern and Santa Fe Railway Company is ordered to temporarily cease the sounding of locomotive horns at specific crossings within the City of Coon Rapids, Minnesota. As provided by statute, the Secretary of Transportation, and by delegation, the Federal Railroad Administrator, in order to promote the quiet of communities affected by rail operations and the development of innovative safety measures at highway-rail crossings, may, in connection with demonstration of proposed new supplementary safety measures, order a railroad to temporarily cease the sounding of locomotive horns at such crossings.

**DATES:** Written comments must be received by November 8, 2001. Comments received after that date will be considered to the extent possible without incurring additional delay.