

- Determine Content and Schedule for DO-160E.
- Closing Plenary Session (New/ Unfinished Business, Date and Place of Next Meeting).

Attendance is open to the interested public but limited to space availability. With the approval of the chairmen, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC on January 15, 2002.

**Janice L. Peters,**

*FAA Special Assistant, RTCA Advisory Committee.*

[FR Doc. 02-1670 Filed 1-22-02; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application (02-07-C-00-COS) To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Colorado Springs Airport, Submitted by the City of Colorado Springs, Colorado Springs, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use PFC revenue at Colorado Springs Airport under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR 158).

**DATES:** Comments must be received on or before February 22, 2002.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Mr. Alan E. Wiechmann, Manager; Denver Airports District Office, DEN-ADO, Federal Aviation Administration; 26805 East 68th Avenue, Suite 224, Denver, Colorado 80249.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Gary W. Green, A.A.E., Director of Aviation, at the following address: 7770 Drennan Road, Colorado Springs, Colorado 80916.

Air Carriers and foreign air carriers may submit copies of written comments

previously provided to Colorado Springs Airport, under section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Christopher J. Schaffer, (303) 342-1258, 26805 East 68th Avenue, Suite 224, Denver, Colorado 80249. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application 02-07-C-00-COS to impose and use PFC revenue at Colorado Springs Airport, under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 14, 2002, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Colorado Springs, Colorado Springs, Colorado, was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 6, 2002.

The following is a brief overview of the application.

*Level of the proposed PFC: \$3.00.*

*Proposed charge effective date:*

December 1, 2003.

*Proposed charge expiration date: May 1, 2006.*

*Total requested for use approval: \$7,566,700.*

*Brief description of proposed project:* Construct Taxiway "C" from Taxiway "D" to Runway 12/30, Construct Vehicle Service Road, Construct Maintenance Equipment Storage Facility.

*Class or classes of air carriers which the public agency has requested not be required to collect PFC's:* None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue SW, Suite 315, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Colorado Springs Airport.

Issued in Renton, Washington on January 14, 2002.

**David A. Field,**

*Manager, Planning, Programming, and Capacity Branch, Northwest Mountain Region.*

[FR Doc. 02-1671 Filed 1-22-02; 8:45 am]

**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 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.

#### Alaska Railroad

[Docket Number FRA-2001-11215]

The Alaska Railroad operates passenger service during the summer months, approximately mid-May until late September, between the cities of Talkeetna (mile post 226.7) and Hurricane (mile post 281.4), Alaska. This passenger service is provided on a "Flag Stop" basis for residence and visitors to this wilderness stretch of the railroad, for which there is no road access. The service is normally operated with a single Railway Diesel Car (RDC), manufactured by the Budd Company, that originates each morning in Talkeetna, Alaska.

The Alaska Railroad does not maintain mechanical facilities at either Talkeetna or Hurricane and there are no "Qualified Maintenance Personnel" (QMP) as required by 49 CFR §§ 238.303(c) *Exterior calendar day mechanical inspection of passenger equipment* and 238.305(b) *Interior calendar day mechanical inspection of passenger cars* at either location. The closest QMP personnel are located at Anchorage, Alaska which is 112 miles to the south, or Fairbanks, Alaska, which is 243 miles to the north.

The Alaska Railroad seeks relief from the requirements of 49 CFR 238.303(c) and 238.305(b), as they feel that to provide QMP personnel at Talkeetna or Hurricane, Alaska for the sole purpose of accomplishing the daily interior and exterior inspection for 4.5 months of the year is not reasonable. Further, the railroad stated that they provide this service in the public's interest now at a financial loss, even without the additional burden of the QMP personnel at these two locations. Additionally, they stated that it is anticipated that, if provided, the QMP personnel would only work approximately one hour per day.

The Alaska Railroad proposes that they continue their current practice of

the train crews, as "Qualified Persons," performing the required daily interior and exterior inspections as provided for by 49 CFR 238.305(d)(2). The 92-day periodic inspection of this passenger equipment is performed at their mechanical facilities in Anchorage, Alaska., as required by 49 CFR 229.23.

*Periodic inspection: General.*

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., Docket Number FRA-2001-11215) 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 a.m.-5 p.m.) at 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 17, 2002.

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

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

[FR Doc. 02-1636 Filed 1-22-02; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Safety Advisory 2002-01

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

**ACTION:** Notice of Safety Advisory 2002-01.

**SUMMARY:** The FRA is issuing Safety Advisory 2002-01 addressing the importance of clear, precise, unambiguous railroad safety procedures to ensure the safety of highway-rail grade crossing warning systems or wayside signal systems that are

temporarily removed from service for purposes of testing, inspection or repair.

#### FOR FURTHER INFORMATION CONTACT:

William Goodman, Signal and Train Control Division, Office of Safety Assurance and Compliance, FRA, 1120 Vermont Avenue, SW., Washington, DC 20590 (telephone 202-493-6325) or Mark Tessler, Office of Chief Counsel, FRA, 1120 Vermont Avenue, SW., Washington, DC 20590 (telephone 202-493-6061), e-mail [mark.tessler@fra.dot.gov](mailto:mark.tessler@fra.dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Highway-rail grade crossing warning devices and wayside train signals are among the most important safety systems in the railroad industry for preventing train collisions and highway-rail grade crossing accidents. Despite the high-degree of reliability of these systems, failures occasionally do occur. FRA regulations (49 CFR parts 234 and 236) require that both grade crossing warning devices and wayside signals operate on the "fail safe" principle, which causes a system to revert to its safest state in the event of a failure or malfunction of a vital component of the system. In practical terms, fail safe operations means the grade crossing warning devices will activate to stop traffic or a wayside signal will stop train movement in the event of a component failure. However, under certain circumstances, particularly where human error is involved, the fail-safe features can be deactivated or circumvented, resulting in an accident. FRA has noted that several serious highway-rail grade crossing accidents and numerous false proceed signal failures have occurred in the past three years due to human error failures. While the total number of such failures is very small given the more than 60,000 active highway-rail grade crossing warning systems and approximately 86,000 track miles of railroad signal systems currently in operation on our Nation's railroad network, even a single failure of a grade crossing warning system to activate when needed or a single false-proceed train signal has the potential to result in a serious accident or loss of life.

Grade crossing activation failures are of particular concern, because crossing signals are often the primary means of warning motorists of an approaching train. Wayside railroad signals are also critically important to the safety of train movements; however, there are often redundant safety measures in place to help prevent train collisions. For example, train movements may be

remotely monitored by dispatchers at centralized dispatching centers and train crews are sometimes made aware of the presence of nearby trains by monitoring railroad radio transmissions. However, these redundant safety measures are not feasible at grade crossings. It is impossible for train dispatchers or train crews to monitor the movement of motor vehicles over a highway-railroad grade crossing. Therefore, because grade crossing warning devices play an extremely important role in preventing grade crossing collisions, it is imperative that every reasonable precaution be taken to prevent crossing activation failures.

FRA recognizes that the railroad industry has long recognized the importance of having well defined safety procedures in place to ensure the safety of highway-rail grade crossing warning systems and wayside signal systems that have been temporarily removed from service for purposes of testing, inspection or repair. Most railroads have had such safety procedures in place for many years; nevertheless, FRA has been concerned that grade crossing accidents and false proceed signals continue to occur because of the failure to properly notify approaching trains that grade crossing warning devices or wayside signal systems have been temporarily removed from service or because of the failure to properly restore these safety systems back into service. Therefore, FRA believes it is time for the railroad industry to review and re-evaluate these safety procedures. Over the past three years, at least five serious grade crossing collisions were the result of crossing warning device activation failures which were caused, in part, by the failure of railroad personnel to follow appropriate safety procedures when the crossing warning devices were removed from service for repair, or before the crossing warning devices were restored to service after repairs had been made. A brief review of these accidents may help illustrate the critical importance of railroads having clear, precise, and unambiguous railroad safety procedures in place when testing, inspecting or repairing highway-rail grade crossing warning systems or wayside signal systems.

In one incident, two teenage boys were killed when the motor vehicle they were driving was struck by an approaching train at a highway-rail grade crossing where the warning devices, which consisted of gates and flashing lights, failed to activate. An investigation of this tragic accident revealed that, several hours prior to the accident, the grade crossing warning