

of 15-miles per hour for passenger and 10-miles per hour for freight trains. The method of operation is Yard Limit Rule (General Code of Operating Rules). Since 1998, KXHR has operated trains with only one reportable incident, which was a derailment attributed to an equipment failure.

KXHR claims the passenger train operation is on consecutive days, requiring them to make two inspections between Monday and Friday, even though they do not operate the passenger train between inspections. KXHR requests relief from the second inspection during the week. In the event a special train is operated between Monday and Friday, KXHR states they will conduct the compulsory twice weekly inspections.

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-2002-11897) 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 (9:00 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 July 8, 2002.

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 favor of relief.

Port Authority Trans-Hudson Corporation

[Docket Number FRA-2002-12409]

The Port Authority Trans-Hudson Corporation (PATH) seeks a waiver of compliance from the requirements of [49 CFR 238.305(c)(10)] and [49 CFR 238.317(a)(1)] of the Passenger Equipment Safety Standards. Section 238.305(c)(10) requires all end doors and side doors to operate safely and as intended. A non-complying car may continue in passenger service pursuant to paragraph (d) of this section, if, at least one operative and accessible door is available on each side of the car; and a notice is prominently displayed directly on the defective door indicating that the door is defective. Section 238.305(d) allows a passenger car found not to be in compliance with the requirements contained in paragraphs (c)(10) at the time of its interior calendar day mechanical inspection to remain in passenger service until the car's next interior calendar day mechanical inspection where it must be repaired or removed from passenger service.

PATH's request was for (MU) passenger cars equipped with two and three double leaf side doors on each side of the car. These cars are allowed to operate beyond the next interior calendar day inspection for up to eight days after the requirements of 238.305(d)(1), (2), and (3) are met. Section 238.305 (d) requires that: (1) A qualified person or a qualified maintenance person determines that the repairs necessary to bring the car into compliance cannot be performed at the time that the current day's interior mechanical inspection is conducted; (2) A qualified person or a qualified maintenance person determines that it is safe to move the equipment in passenger service; and (3) A record is maintained of the non-complying condition with the date and time that the condition was first discovered.

Section 238.317(a)(1) requires that whenever the control stand used to control the train is changed, a Class II brake test shall be performed prior to the train's departure from the terminal. PATH requests partial relief from this requirement. PATH does not want to perform this brake test when the train's terminal dwell time is less than five minutes because the conductor would not have time to perform the test at the rear of the train and walk forward to his operating position between the first and second car.

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-2002-12409) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room P1-401, 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 July 8, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads

have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

Docket Number: FRA-2002-12269.

Applicant: CSX Transportation, Incorporated, Mr. N. Michael Choat, Assistant Chief Engineer of Signal Maintenance, 4901 Belfort Road, Suite 130 (S/C J-370), Jacksonville, Florida 32256.

CSX Transportation, Incorporated (CSXT) seeks relief from the requirements of the Rules, Standard and Instructions, 49 CFR, part 236, section 236.110, to the extent that each test record need not be signed by the person making the inspection or test, in lieu of implementing an electronic system to record and maintain Signal inspection records that provide inherent security measures that uniquely identify the person as the author of the record. Once a record is entered and verified, it cannot be modified. In conjunction with this relief, CSXT also requests the utilization of an electronic system for recording and maintaining applicable inspection and test records as defined in 49 CFR, part 234, subject to approval by the Associate Administrator for Safety, as required by section 234.273.

Applicant's justification for relief: CSXT believes that the electronic system will serve the best interest of CSXT and the Federal and State Inspection authorities that are required to inspect records, and anticipate the system will provide many benefits, including:

- Improved availability of test records
- Improved management reporting of compliance
- Improved consistency for filing records
- A reduction in the need for paper documentation

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the 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 PI-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590-0001. 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>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC, on July 8, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 02-17569 Filed 7-11-02; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification of the signal system or relief from the requirements of 49 CFR part 236 as detailed below.

Docket Number: FRA-2002-12314.

Applicant: Union Pacific Railroad Company, Mr. Phil M. Abaray, Chief Engineer—Signals, 1416 Dodge Street, Room 1000, Omaha, Nebraska 68179-1000.

Union Pacific Railroad Company seeks approval of the proposed modification of the traffic control system, at milepost 250.1 on the Dallas Subdivision, Centennial Yard, in Fort Worth, Texas. The proposed changes consist of the discontinuance and removal of automatic signal 2501 and inoperative approach signal 2500, associated with the 7,500 foot block reduction at the entrance of CTC territory. The 7,500 foot track circuit, protected by signal 2501, will be shortened and used to approach light controlled signal WB at milepost 251.5.

The reason given for the proposed changes is that the signals presently disrupt switching operations due to the need to get permission from the dispatcher to pass signal 2501 if it is red, and changes in the methods of operation have made signal 2501 unnecessary.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the party in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001.

Communications received within 45 days of the date of this notice will be considered by the 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 PI-401 (Plaza Level), 400 Seventh Street, SW., Washington, DC 20590-0001. 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>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, DC, on July 8, 2002.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From Requirements

Pursuant to Title 49 Code of Federal Regulations (CFR) part 235 and 49 U.S.C. 20502(a), the following railroads have petitioned the Federal Railroad