

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.

### New Jersey Transit Corporation

[Supplement to Waiver Petition Docket Number FRA-1999-6135]

As a supplement to New Jersey Transit (NJ Transit) Corporation's Petition for Approval of Shared Use and Waiver of Certain Federal Railroad Administration Regulations (the Waiver was granted by the FRA on December 3, 1999), NJ Transit seeks permanent waiver of compliance from additional sections of Title 49 of the CFR for operation of its Southern New Jersey Light Rail Transit (SNJLRT) system. NJ Transit is providing information regarding modifications made to specific components of the SNJLRT system and SNJLRT vehicle (and relevant procedures) since the effective date of the December 3, 1999 Waiver. NJ Transit submits that such modifications are not material and are consistent with the granted Waiver. See *Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment*, 65 FR 42529 (July 10, 2000). See also *Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems*, 65 FR 42626 (July 10, 2000).

In this regard, NJ Transit has advanced the design and construction of the SNJLRT system towards implementation (Fall 2003) and in the process, has identified the following additional regulations from which it hereby seeks waivers: 49 CFR Part 219 Control of Alcohol and Drug Abuse will comply with the accepted FTA drug and alcohol policy; Part 234.105(c)(3) Grade Crossing Signal Safety-SNJLRT vehicles are operated by one-person crews, thus the operator will not be able to leave the vehicle to flag the crossing; and Part 236 Rules, Standards and Instructions Governing the Installation, Inspection, Maintenance and Repair of Signal and Train Control Systems, Devices and Appliances (§§ 236.23, 236.502, 236.504, and 236.507)—the automatic train stop system will function differently than the automatic train stop systems contemplated by the requirements in these sections.

Since the Waiver granted to NJ Transit on December 3, 1999, NJ Transit has informed the FRA of three modifications

made to certain components of the SNJLRT system.

1. *Intrusion Detection System (IDS) at Close Clearance Segments*—NJ Transit has identified two dual-track segments where the centerline track distance is less than 17 feet, which conflicts with Conrail's governing construction standards which recommends 17-foot track centers. It will install an Obstacle/Intrusion Detection System (IDS) similar to ones used in other light rail systems. In the event that the IDS is not operational on the service opening date, NJ Transit has offered a set of temporary operating measures to provide substitute means of mitigating potential hazards due to close proximity to the general railroad system.

2. *Adjacent Operations, Protection of Sidings*—At the time the original Petition was filed, the signal system and track configuration of the SNJLRT system were in the preliminary engineering phase. Final construction of the SNJLRT system has resulted in some "as built" variances related to the installation of derails on the SNJLRT system. In addition, NJ Transit has made changes with respect to rules governing the placement of Conrail cars on sidings.

3. *Emergency Brake Decals on Doors*—NJ Transit has decided to add a decal to the Emergency Door Opening Switch to emphasize its function to activate brakes in case of emergency. This decal will read, "Brake For Emergency Use Only" and the label will be applied below the switch. NJ Transit uses such a decal in its other passenger rail operations.

Since FRA has not yet completed its investigation of NJ Transit's petition, the agency takes no position at this time on the merits of NJ Transit's stated justifications. As part of FRA's review of the petition, the Federal Transit Administration will appoint a representative to advise FRA's Safety Board and that person will participate in the board's consideration of NJ Transit's waiver petition.

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 1999-6135) and

must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., 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 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>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC, on September 15, 2003.

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

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2003-16197]

### Notice of Request for the Extension of Currently Approved Information Collection

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to extend the following currently approved information collection: Americans with Disabilities Act

**DATES:** Comments must be submitted before November 25, 2003.

**ADDRESSES:** All written comments must refer to the docket number that appears at the top of this document and be submitted to the United States

Department of Transportation, Central Dockets Office, PL-401, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address from 10 a.m. to 5 p.m., et., Monday through Friday, except federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard/envelope.

**FOR FURTHER INFORMATION CONTACT:** *Americans with Disabilities Act*—Akira Sano, Office of Civil Rights, (202) 366-4018.

**SUPPLEMENTARY INFORMATION:** Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

**Title: Americans with Disabilities Act (OMB Number: 2132-0555)**

*Background:* On July 26, 1990, the President signed into law civil rights legislation entitled, "The Americans with Disabilities Act of 1990" (ADA) (Pub. L. 101-336). It contains sweeping changes for individuals with disabilities in every major area of American life. One key area of the legislation addresses transportation services provided by public and private entities. Some of the requirements under the ADA are: (1) No transportation entity shall discriminate against an individual with a disability in connection with the provision of transportation service; (2) All new vehicles purchased by public and private entities after August 25, 1990, must be readily accessible to and usable by persons with disabilities, including individuals who use wheelchairs; (3) Public entities that provide fixed route transit must provide complementary paratransit service for persons with disabilities, who are unable to use the fixed route system, that is comparable to the level of service provided to individuals without disabilities; and (4) Transit authorities who are able to substantiate that compliance with all service criteria of the paratransit provisions would cause undue financial burden, may request a temporary time extension in implementing ADA complementary paratransit service.

On September 6, 1991, DOT issued a final rule implementing the transportation provisions of ADA (Title 49 CFR parts 27, 37 and 38), which includes the requirements for complementary paratransit service by public entities operating a fixed route system and the provision of nondiscriminatory accessible transportation service. The regulation sets forth the changes needed to fulfill the Congressional mandate to substantially improve access to mass transit service for persons with disabilities. Effective January 26, 1997, paratransit plans are no longer required. However, if FTA reasonably believes that an entity may not be complying with all service criteria, FTA may require an annual update to the entity's plan. In addition, all other ADA compliance requirements must still be satisfied. The information collected provides FTA with a basis for monitoring compliance. The public entities, including recipients of FTA funds, are required to provide information during triennial reviews, complaint investigations, resolutions of complaints, and compliance reviews.

*Respondents:* State and local government, business or other for-profit institutions, non-profit institutions, and small business organizations.

*Estimated Annual Burden on Respondents:* 100 hours for 50 respondents and 50 hours for 700 recipients.

*Estimated Total Annual Burden:* 40,000 hours.

*Frequency:* Annual.

Issued: September 9, 2003.

**Rita L. Wells**

*Associate Administrator for Administration.*  
[FR Doc. 03-24427 Filed 9-25-03; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Transit Administration**

**Environmental Impact Statement for the Permanent PATH Terminal at World Trade Center in New York, NY**

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The FTA, in cooperation with the Port Authority of New York and New Jersey (PANYNJ), intends to prepare an Environmental Impact Statement (EIS) on a proposal to create a new Permanent Port Authority Trans Hudson (PATH) Terminal at the World Trade Center (WTC) site.

The proposed project would consist of a track and platform level, an associated mezzanine/fare equipment level, and a terminal building incorporating sub-grade pedestrian connections in all directions to adjacent streets, New York City Transit (NYCT) subways, and on and off-site developments. The PATH tubes, tracks, platforms, and mezzanine would be located on the west portion of the WTC site between Greenwich and West Streets as they were prior to the September 11, 2001, attacks that destroyed the World Trade Center and the previous World Trade Center PATH Terminal. The platform level would contain four platforms and five tracks, and fare equipment would be located on the mezzanine level. A new terminal building would be constructed with a connection to the PATH mezzanine below it. The terminal building would provide pedestrian access to PATH from three levels. The lower concourse would have connections to the future buildings on the WTC site and off-site development across West, Vesey, and Church Streets. The upper concourse level would reestablish access to the NYCT stations on the 1/9, N, R, and E routes and would provide a possible connection to NYCT's proposed Fulton Street Transit Center for access to NYCT stations on the 2, 3, 4, 5, J, M, Z, A, and C routes. (The Fulton Street Transit Center is the subject of a separate environmental review by FTA.) At street-level, patrons could access via Church Street. The EIS is being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and the applicable regulations implementing NEPA, as set forth in 23 CFR part 771 and 40 CFR parts 1500-1508.

The EIS will evaluate a No Action Alternative, a Build Alternative and any reasonable alternative generated by the scoping process. Scoping will be accomplished through meetings and correspondence with interested persons, organizations, and Federal, state, regional and local agencies.

**DATES:** The public is invited to participate in project scoping on October 8, 2003, in New Jersey and on October 9, 2003, in New York at the locations identified under **ADDRESSES** below. To ensure that all significant issues are identified and considered, two sessions will be held at each meeting: 2 p.m. to 5 p.m. and 6 p.m. to 9 p.m. Poster boards depicting the project concept will be available for review at the meeting location. A formal presentation by the PANYNJ will be made at 2:30 p.m. and at 6:30 p.m. followed by the opportunity for the