

Instructions: All submissions must include the agency name and docket number for this notice. Note that all submissions received will be posted to <http://dms.dot.gov> without change, including any personal information. Please see the general information heading in the **SUPPLEMENTARY INFORMATION** section of this document for Privacy Act information related to submitted comments or materials.

Docket: For access to the docket to read background documents or submissions received, go to <http://dms.dot.gov> at any time, or visit PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m. Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION: On February 22, 2006, FRA announced it is seeking input through the RSAC for potential revision of the Locomotive Safety Standards contained in 49 CFR Part 229. Although these standards have been the subject of a series of modifications, the basic text of the rule has remained largely unchanged since promulgation in 1980. In section 229.19, titled "Prior waivers," the existing regulation states: "All waivers of every form and type from any requirement of any order or regulation implementing the Locomotive Inspection Act, applicable to one or more locomotives, except those propelled by steam power, shall lapse on August 31, 1980, unless a copy of the grant of waiver is filed prior to that date with the Office of Safety, RRS-23, Federal Railroad Administration." If the standards are modified, FRA foresees including a similar requirement to terminate all Part 229 waivers shortly after issuance of the revised rule, unless they are re-registered with FRA by a similar process. An opportunity to comment on the proposed sunset regulation will be provided at a later time, prior to the issuance of a final rule. To conform with current Safety Board practice that limits relief to a 5-year term or less, all current waivers of 49 CFR Part 229 that are not already term-limited shall be terminated 5 years after re-registration. Termination dates of waivers already term-limited will not be changed. At the end of the 5-year period, the Safety Board may grant a formal request for extension, pursuant to 49 CFR Part 211.

FRA is requesting that grantees submit all current waivers of Federal regulations contained in 49 CFR 229 if there is a need for the waivers to continue. Anticipating the sunset of these waivers, FRA hopes to address ongoing industry needs and maximize

the effectiveness of the current potential rulemaking by considering potential revisions in light of current waivers. Where appropriate, FRA (utilizing the RSAC process) will consider whether potential revisions of Part 229 can safely accommodate the situation faced by the railroad without the need for a waiver. Where this is not appropriate, including situations that are too specific to merit a general accommodation, FRA will retain the waivers submitted at this time and forward them into the docket of waivers to be continued beyond the implementation of the potential revisions to 49 CFR Part 229. Such waivers will not need to be resubmitted if a final rule is implemented. Accordingly, railroads and other parties that have waiver(s) of any portion of 49 CFR Part 229 that they wish to extend after adoption of revised Locomotive Safety Standards shall file a copy of the letter granting the waiver, together with a cover letter referencing this docket number, within 90 days of the date of this notice.

This notice establishes docket number FRA-2007-27155 for collection of documents related to the LSSWG's activities. The docket will be utilized to collect copies of granted waivers submitted pursuant to this notice and other documents generated during the RSAC process, making them available to the public.

Anyone is able to search 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 665, Number 7, Pages 19477-78). The statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on February 23, 2007.

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 railroad has 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-2006-26756]

Applicant: Canadian National Railway, Mr. E. L. Harris, Executive Vice President, Operations, 10004-104th Avenue, Floor 24, Edmonton, Alberta T5J 0K2.

Canadian National Railway (CN) seeks relief from the requirements of the rules, standards, and instructions set out in CFR 236.410, as it relates to the requirement for an entering signal or electric switch lock to enter the main track in centralized traffic control territory at a hand-operated switch. CN believes that the precepts of 49 CFR 236.410 are based on an outdated ideology that concerned itself with then-new signal technology, a less-than-robust communication network, and/or rail traffic controller (RTC) system that did not have today's abilities for checking and blocking regarding block occupancy movements. CN believes that other jurisdictions have acknowledged the redundancy of the electric switch lock and provided for their removal and the reliance on the RTC, who is the authority for track occupancy on his or her respective territory. CN therefore requests exemption from the requirements of 49 CFR 236.410 in the territories recently identified as a traffic control system, which was previously identified as ABS/Rule 512B. This exemption would involve approximately 80 hand-operated switches within these areas.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made and include 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 Docket Number (FRA 2006-26756) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, 400 7th Street, SW., 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 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>.

FRA wishes to inform all potential commenters that 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) or you may visit <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 February 23, 2007.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. E7–3480 Filed 2–27–07; 8:45 am]

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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 railroad has 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–2007–26965]

Applicant: CSX Transportation, Mr. J. Wesley Wheeler, Chief Mechanical Officer, Locomotives, 500 Water Street, Speed Code J–340, Jacksonville, Florida 32202.

CSX Transportation, Inc. (CSXT) seeks relief from the requirements of the rules, standards, and instructions set out in 49 CFR 236.586, to the extent that a visual inspection not be required as part of the daily or after-trip test on locomotives equipped with microprocessor equipment during a

proposed test period. The proposed test period would have the participation of CSXT, FRA, Cab Signal Original Equipment Manufacturer's, Brotherhood of Locomotive Engineers and Trainmen, and the United Transportation Union. CSXT believes that the test will demonstrate how the newer systems will allow safe train operation in train control territory without needing to perform a daily visual inspection of the cab signal and train control apparatus. The test is intended to also exhibit how microprocessor-based systems can continuously monitor themselves with onboard self diagnostics and take the appropriate safe action if a failure is detected. During the proposed test period, CSXT will keep these locomotives on a 92-day periodic inspection interval and will not perform daily visual inspections of its cab signal and train control equipment.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made and include 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 Docket Number (FRA–2007–26965) and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI–401, 400 7th Street SW., 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 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>.

FRA wishes to inform all potential commenters that 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) or you may visit <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 February 23, 2007.

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) has 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.

Saint Louis Metro

[Docket Number FRA–2007–27207]

Saint Louis Metro (Metro), the provider of bus, paratransit, and light rail transit in the St. Louis Metropolitan Area, seeks a permanent waiver of compliance from sections of Title 49 of the CFR for operation of its MetroLink Light Rail over two at-grade rail diamond crossings that constitute a "limited connection" with the general railroad system. (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 42526 (July 10, 2000).)

MetroLink consists of 44.8 miles of light rail tracks located in St. Louis County and the City of St. Louis, Missouri; and St. Clair County, Illinois, for the purpose of providing rapid transit operations within the St. Louis Metropolitan area. The MetroLink alignment is a double-track light rail alignment running at grade, above grade, below grade, and in tunnels with two-car consists. Revenue hours are from 3:45 a.m. to 1:15 a.m. daily.